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5.1

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): DABB Partnership

Proposal:

5. Development in the Towns and Villages

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

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

5.1

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

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

National Landscape, Ecology, Flood Risk and Heritage Considerations in Site Allocation Policies A number of site allocation policies contain material amendments, some of which are likely to affect site yield, in response to the allocation of sites within areas of National Landscape and with ecology, flood risk, heritage and other considerations. The amendments to an allocation for 700 homes on Land at St John's (Exmo_20) under Strategic Policy SD01: Exmouth and its development allocations are particularly significant in themselves and it is noted that there is an unresolved objection to the allocation of this site from Devon County Council as the Minerals and Waste Planning Authority because part of the site is within a Minerals Safeguarding Zone.

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

Full name: Lisa Turner

Organisation (where relevant): Blackdown Hills National Landscape

Proposal:

5. Development in the Towns and Villages

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

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

5.1

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

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

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

Further to representations to the first Regulation 19 draft, we consider that the council's response has not fully addressed the issues raised regarding the overall approach to allocations within the context of the duty to seek to further the conservation and enhancement of the National Landscapes.

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

We previously advocated a landscape-led approach to informing site allocation choices. A landscape led approach, whether to all allocations or allocations in or affecting the National Landscapes, would look at landscape sensitivity and capacity and seek to understand the inherent landscape character and special qualities of that landscape, and thus whether the suggested mitigation measures would contribute to or erode natural beauty. There is no clear consideration of how development might further the purpose of designation and to what extent proposed measures simply mitigate harm. It is not always clear how assessment has led to the allocation, and there remains questions where site assessments flag up need for further landscape or heritage appraisals. For each site in/adjacent to National Landscapes, it should be possible to consider how it is conserving and enhancing natural beauty, cross reference with NPPF guidance on development in or affecting protected landscapes, and consider whether sites meet the

requirements of policies elsewhere in the plan – if it doesn't meet all these then the allocation should be reconsidered.

Your response to our previous representation noted that strategic alternatives assessed were assessed in the sustainability appraisal. This is fine for pattern of development and settlement hierarchy, however, fundamentally other alternatives could be; a. Engage para 11 (b)1.) of NPPF – not possible to meet objectively assessed housing need where the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.

b. Consider alternatives where housing numbers can be provided in line with the settlement hierarchy without encroaching/affecting National Landscapes through design/density of other sites (within settlements or other sites) – for example at Honiton it is positive that Honi_12 is no longer proposed, but in terms of overall provision at Honiton the number allocated at GH/ED/39 has increased, which more than covers the removed site allocation.

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

5.3

Full name: Sharon Mason

Proposal:

5. Development in the Towns and Villages

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

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

5.3

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

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

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

Planning on an area of ANOB should never be entertained. Exmouth is the 2nd largest town in Devon and green space within it are disappearing fast due to development of houses at Plum Park, Dinan way, plus the new road from Dinan way on to the Exeter road. We can not encroach on our natural habitat for the environment, nature and wildlife, going forward we should protect these spaces to help towards helping the reduction of global warming, instead of building houses we should be planting more trees, more natural flowers meadows for wild life and saving our planet. With the diverse weather we have had this year, extreme heat, down pours, cold snaps. There is a storm drain on castle lane adjacent st Margaret's view this is inadequate for purpose as it floods even with a small amount of rain, so recently the road has nearly been impassable, flooded and water streaming across the road into the stream which was full to the top. Plus it was like an ice rink with recent weather. With new houses being built on a downward slope to castle lane extra run off of surface water is going to increase this problem and create even more flooding in this area. Enlarging Littleham brook on the building ground is still not going to cope with the extra water at castle lane, when the tiny brook meanders around houses down to sea. Traffic and parking is a great issue in Exmouth where ever you go streets full of parked cars, pavements and in grass verges. Which is dangerous to other drivers who can not see adequately, pedestrians, school children, blind, deaf and disability scooters and more. Castle lane is what it says a lane, the traffic that uses it increases immensely when the caravan park, at Sandy Bay is open. So more traffic using this road due to more houses is to dangerous, it's not built for that much traffic. There is a pinch point where the traffic is

single file at the bottom of St Margaret's view due to 2 houses opposite one another adjacent to the road. 410 houses will mean 820 more cars, plus more for visitors. The traffic on the Salterton road already makes it very hard to get out of Capel lane, so with another entrance near McDonald's turning, which is also busy and hard to get in and out even with the road entrance improvements. It's just going to cause more congestion. To travel from Littleham crossroads to the caravan site, it's so busy at the shops, parked cars are always towing and growing, plus the HGV delivery to the co-op, it's a minefield to pass. There are parked cars all the way down to the turning for Castle Lane, bollards at Parminster Close, parked cars, turning into Plum Park and industrial site, parked cars everywhere, then the school entrance which is always obscured, then there is a bend with chevrons on the road that indicates no parking but it's full of cars, you go around that bend blind, confronted with fast oncoming traffic, Lorrie's and the bus. It's hazardous at best. Green Lane leading to Capel Lane is a bus route, cars are parked everywhere and in anyway a car can just be dumped, not parked. This road is an obstacle course. There is traffic calming on Capel Lane, these roads are not adequate for even more traffic. As is Exmouth, these roads are only way in and out of Exmouth is the Woodbury Road which is a speed track, two major accidents have happened just before Christmas and the Exeter road out to the 3052. These are the only two routes for emergency vehicles as well and with a greater population in Exmouth and greater need for these services, people are going to die as getting these services through and then on perhaps to hospital is going to be life threatening. Drive along the Exeter road on bin collection day, the hold ups are extreme. There is traffic poor bin men trying to do their job around Exmouth is beyond a challenge and their safety is paramount. There last and probably the most important is the question of all the extra amenities that will be required and even need now already, doctors, dentists, shops, schools, how can a secondary school take in more pupils when there's no room for expansion and it's already one of the biggest schools in Devon. Finally sewage, we have so many problems, polluting the sea from over flows, Maer Lane sewage works problems, the amount of sewage lorries always tooing and froing to Phear Park, and Budleigh Salterton has the same problems to, this is very serious to our general health and the environment, the sewers just can't cope. Exmouth is bursting at the seams, I think we have had our fill of houses, that aren't for locals as they are too expensive. Enough is enough.

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

5.6

Full name: Lewis Carr

Proposal:

5. Development in the Towns and Villages

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

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

5.6

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

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: NO

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: "The Local Plan strategy establishes Ottery St Mary as a Tier 2 settlement, and as such as an appropriate location for future growth and development." There is no definition of a Tier 2 Settlement in the document. This is required and the full assessment as to how this has been ascertained must be included.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Full description of the definition used for tier decisions, and the exact measurements used to determine this must be included.

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
NO

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

Other Tier 2 Settlements mentioned include Sidmouth and Honiton. From the 2021 Census, the populations are: Ottery - 7,700 Honiton - 12,200 Sidmouth - 13,300 These are not comparable by size now, Honiton is 58% bigger than Ottery, with Sidmouth 73% bigger. A quick search suggests that: "In planning, a Tier 2 Settlement is a significant town or larger village with a good range of local services, employment, and public transport, making it more sustainable for development than smaller villages but less central than major towns (Tier 1)." Ottery Local Services are currently over stretched, be it schools, healthcare or library services. There are very few opportunities for new employment in the local area, and taking further farmland away for housing further reducing that employment option. Ottery public transport is really not of sufficient quality, frequency or reliability to make it a better option for commuting than private transport. Traffic around town because of the above is already difficult and in some places very dangerous. A lorry "falls off" the main Daisymount to Ottery road most years.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ottery is not a Tier 2 Settlement by any relevant measurement that can see. Classify Ottery correctly, and document exactly what measurements and justifications were used.

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Planning and considerations to significantly increase the number of residents needs to be in cooperation of all impacted parties. There doesn't seem to have been full interaction and cooperation with all parties. Travel, traffic, power, clean and waste water, healthcare, education, police and fire services. It all needs co-operation, and it hasn't been given due consideration.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I don't trust the council to act in the best interests of

me or the other constituents and affected parties. I need to be there to make sure they are held accountable.

Full name: Keith Bell

Proposal:

5. Development in the Towns and Villages

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

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

5.6

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

1(c). If the comment is related to a site, please state the site reference here.:

Otry_21

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Ottery St. Mary (OSM) is well known for its narrow streets and regular traffic congestion. A plethora of photographs and other evidence is available to support residents' existing frustration with access to facilities within the town as well as the ability to transit through particularly when residing in, or approaching from, the southern side of the town (i.e. site of Otry_21). I therefore believe it is NOT appropriate to add further houses on the southern side since: a. Prospective new residents will require places of employment and it is the duty of government and local authority to provide access to such. The vast majority of employment potential in the region resides in Exeter, at the airport, and in Honiton, ALL of which will require prospective residents of Otry_21 to travel through the centre of OSM in order to access them. b. Similarly, in order to access health facilities, schools and shopping, all prospective Otry_21 residents will have to transit Tip Hill and OSM centre. The limitations imposed on such journeys by the geography and road size make it totally inappropriate to locate further housing development at Otry_21. Housing to the north / north-west would not, however, suffer these issues. c. The present pedestrian and cyclist routes from Otry_21 into OSM are already unsafe, and the geography makes improvement largely impossible. There are typically multiple incidents along the route daily. It is therefore unsafe for prospective residents attempting to travel to doctors, places of work, schools and shops if sited at Otry_21. d. Sidmouth road is simply capacity-congested by geographic restrictions at Tip Hill (and single-lane in several locations), with many large farm and industrial vehicles also using the road. There is multiple evidence of lost wing-mirrors and even side-swipes on pedestrians on the route, thereby making Otry_21 unsuitable for the addition of yet a further traffic source. The Otry_21 site is also recognised as being within the "zone of influence" of the East Devon Pebblebed Heaths Special Area of

Conservation and Exe Estuary and East Devon Heaths Special Protection Areas. As a resident, I have seen badgers, bats, and dormice in the area. It is totally inconceivable that addition of 70 houses in the proposed site will not have a massively negative effect on these animals, and accordingly have a negative influence on the special protected areas.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: If

further housing is indeed mandated, it is clear that such should be sited on the northern / north-western side of OSM in order that reasonable access to the facilities described above (places of employment, doctors, schools and highways) can be provided.

Accordingly, my suggested wording for paragraph 5.6 is as follows: "The Local Plan strategy establishes Ottery St Mary as a Tier 2 settlement, and as such as an appropriate location for future growth and development. It is, however, recognised that geographic and historic restrictions apply to the road and pedestrian routes within the town, and accordingly preference for future growth and development should be focused on arease to the north and north-west of the town where access to major roads and facilities would not require transit through the town centre. Plan policy sets out land allocations for development and these are shown on the policies map along with other policy boundaries that are at the town." Additionally, in section 5.6, the paragraph "Gerway Farm (Otry_21)" should state: "This land at Gerway Farm, off Sidmouth Road, is deemed unsuitable for further housing as a result of the restrictions on the safe movement of traffic and pedestrians into and through Ottery St. Mary. Additionally, the site would be subject to Archaeological assessment and further flood risk assessment."

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

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

Ottery St. Mary (OSM) is well known for its narrow streets and regular traffic congestion. A plethora of photographs and other evidence is available to support residents' existing frustration with access to facilities within the town as well as the ability to transit through particularly when residing in, or approaching from, the southern side of the town (i.e. site ot Otry_21). I therefore believe it is NOT appropriate to add further houses on the southern side since: a. Prospective new residents will require places of employment and it is the duty of government and local authority to provide access to such. The vast majority of employment potential in the region resides in Exeter, at the

airport, and in Honiton, ALL of which will require prospective residents of Otry_21 to travel through the centre of OSM in order to access them. b. Similarly, in order to access health facilities, schools and shopping, all prospective Otry_21 residents will have to transit Tip Hill and OSM centre. The limitations imposed on such journeys by the geography and road size make it totally inappropriate to locate further housing development at Otry_21. Housing to the north / north-west would not, however, suffer these issues. c. The present pedestrian and cyclist routes from Otry_21 into OSM are already unsafe, and the geography makes improvement largely impossible. There are typically multiple incidents along the route daily. It is therefore unsafe for prospective residents attempting to travel to doctors, places of work, schools and shops if sited at Otry_21. d. Sidmouth road is simply capacity-congested by geographic restrictions at Tip Hill (and single-lane in several locations), with many large farm and industrial vehicles also using the road. There is multiple evidence of lost wing-mirrors and even side-swipes on pedestrians on the route, thereby making Otry_21 unsuitable for the addition of yet a further traffic source. The Otry_21 site is also recognised as being within the "zone of influence" of the East Devon Pebblebed Heaths Special Area of Conservation and Exe Estuary and East Devon Heaths Special Protection Areas. As a resident, I have seen badgers, bats, and dormice in the area. It is totally inconceivable that addition of 70 houses in the proposed site will not have a massively negative effect on these animals, and accordingly have a negative influence on the special protected areas.

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

If further housing is indeed mandated, it is clear that such should be sited on the northern / north-western side of OSM in order that reasonable access to the facilities described above (places of employment, doctors, schools and highways) can be provided. Accordingly, my suggested wording for paragraph 5.6 is as follows: "The Local Plan strategy establishes Ottery St Mary as a Tier 2 settlement, and as such as an appropriate location for future growth and development. It is, however, recognised that geographic and historic restrictions apply to the road and pedestrian routes within the town, and accordingly preference for future growth and development should be focused on arease to the north and north-west of the town where access to major roads and facilities would not require transit through the town centre. Plan policy sets out land allocations for development and these are shown on the policies map along with other policy boundaries that are at the town." Additionally, in section 5.6, the paragraph "Gerway Farm (Otry_21)" should state: "This land at Gerway Farm, off Sidmouth Road, is deemed unsuitable for further

housing as a result of the restrictions on the safe movement of traffic and pedestrians into and through Ottery St. Mary. Additionally, the site would be subject to Archaeological assessment and further flood risk assessment."

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The suggestion that Otry_21 should be considered suitable for large development causes a conflict across the requirements of housing, transport, and environment. Cooperation across these boundaries creates an impossible scenario and therefore including Otry_21 will not facilitate an effective Local Plan. The residents of Ottery St. Mary would not support the increased congestion, reduced safety, and damage to wildlife that development at Otry_21 would provide.

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

SD01

Full name: Devon Wildlife Trust

Organisation (where relevant): Devon Wildlife Trust

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

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

Devon Wildlife Trust considers the inclusion of this site for development is unacceptable and we object in the strongest possible terms. We consider that the proposed allocation is unsuitable for development both due to the location of the area within the wider ecological landscape and the habitat composition of the site itself. We note that the site was originally scoped out of being allocated in the Site Selection Report (August 2024) for a number of reasons, most significantly 'there are significant local levels of biodiversity interest at the site that could be adversely affected by development. The site promoter for a southern part of the site shows highway access to the south of the site coming through a length of Unconfirmed County Wildlife Site, which would clearly cause damage.' Proximity to Designated Sites The proposed Exmo_20 allocation lies directly adjacent to the southern extent of a number of sites which have been designated at the highest level. Exmo_20 lies within 10 metres of Pebblebed Heaths National Nature Reserve (NNR), East Devon Pebblebed Heaths Special Area of Conservation (SAC), East Devon Heaths Special Protection Area (SPA) and East Devon Pebblebed Heaths Site of Special Scientific Interest (SSSI). Devon Wildlife Trust Bystock Nature Reserve also lies within these designations. These sites include a strong element of public access. The proposed allocation lies within East Devon Pebblebed Heaths SSSI Impact Risk Zone (IRZ). Development of land situated within IRZs has potential to have a harmful effect on terrestrial SSSIs and the SACs that they underpin. Natural England consider residential development of 50 units or more likely to have an impact on the East Devon Pebblebed Heaths SSSI. It is understood the proposed allocation is for up to 700 dwellings. Natural England SSSI condition

assessments have been undertaken to determine the condition of East Devon Pebblebed Heaths SSSI, with several parcels which are considered ‘unfavourable recovering’ and ‘unfavourable declining’. Habitats are therefore clearly in a vulnerable condition, and this is likely to be significantly exacerbated by the development of Exmo_20. The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area (SNA). This area has been identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land at scale for development. The proximity of the European sites (SPA and SAC) to the proposed allocation raises considerations under the requirements of the Habitats Directive 1992 for these sites to be maintained or, where necessary, restored at a favourable conservation status (Article 3 (1)). Natural England has a clear presumption against any net increase in residential development within 400m of a heathland SAC. There is a substantial evidence base which demonstrates that urban development in the area around lowland heathland has an adverse effect on the quality of heathland interest features which underlie the designation of the European sites and SSSIs. Key references can be found at:

https://webarchive.nationalarchives.gov.uk/ukgwa/20140605111944/http://www.naturalengland.org.uk/regions/south_west/ourwork/heathlands/default.aspx The current East Devon Local Plan states ‘To help preserve the integrity of the East Devon Pebblebed Heaths, specifically on account of the impacts of domestic cats through bird predation, new dwellings will not be allowed on or within 400 meters of the Pebblebed Heaths.’ The current Second Regulation 19 Draft includes a policy which states ‘To help preserve the integrity of the East Devon Pebblebed Heaths, specifically on account of these potential impacts, new dwellings and tourist accommodation or other developments that may result in unacceptable impacts will not be permitted on or within 400 metres of the Pebblebed Heaths’. It is beyond the scope of this letter to detail the range and diversity of sensitive habitats and species which are supported by the NNR/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development. These include, but are not limited to: Disruption to the hydrology of heathland wetland through both drainage interception and enriched urban water discharges. ? Increased air pollution. ? Increased likelihood of arson/accidental fire. ? Damage to habitat and disturbance to wildlife caused by increased use of heathland for off road cycle and motorcycling. ? Increased recreational use, especially by dog walkers, leading to disturbance of ground nesting birds and habitat damage. ? Habitat change from heath to grassland through enrichment by dog faeces. ? Predation by domestic cats on reptiles and ground nesting birds. ? Presence of higher numbers of people and greater recreational use leading to more difficulties in managing the heaths effectively for their designated interests. ? Increased fly tipping of garden and other waste. It is important to note that many of these urban effects can operate

synergistically to exacerbate the adverse impacts on designated interest features. Due to the proximity of the proposed allocation to the SAC, it is incumbent on the local planning authority to undertake an Appropriate Assessment (AA) prior to adopting the Local Plan. It is unlikely that given the scale and proximity of the proposed Exmo_20 allocation to the SAC, that an AA could conclude that there would be no adverse effects on the integrity of the SAC, regardless of the over-arching strategic approach of the South-East Devon European Sites Mitigation Strategy (SEDESMS). Therefore, the authority would need to progress through the derogation process and seek permission from the Secretary of State demonstrating no suitable alternatives and proposing suitable compensatory measures. Devon Wildlife Trust would urge East Devon District Council to remove this allocation from the plan to avoid such impacts altogether.

Habitats/species within the Exmo_20 allocation boundary

The proposed allocation includes a number of areas of high ecological value. Several blocks of woodland are present, a number of which have been highlighted as Unconfirmed Wildlife Sites. These are areas which have been identified as potentially high value habitats, but for which access has not yet been obtained to allow detailed survey. These areas are identified by comprehensive assessment of aerial photography and are therefore likely to support habitat of high value for wildlife. A number of areas within Exmo_20 are listed in the Priority Habitat Inventory, which includes designated areas of ancient and deciduous woodland and other assigned habitats of importance. The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries. For example, nightjar travel away from heaths to feed and therefore development of habitat directly adjacent to heathland has the potential to negatively impact this species associated with primary designation habitats of the European sites. It is deeply concerning to hear that at the time of our comments dated 6 November 2024, enabling works appeared to have commenced on site, with tree felling to create access underway. We urge the LPA to ensure that such works are halted, with compensation measures undertaken to address any biodiversity loss which has occurred. We hope that the information presented above explains why the area encompassed within proposed allocation Exmo_20 is wholly unsuitable for development. We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan.

Revised text in the Second Regulation 19 Draft We note that the LPA has sought to address the significant concerns regarding this allocation with the provision of revised text within the Second Regulation 19 Draft. The revisions provided do not sufficiently address the points outlined above. Notwithstanding our strong objection to the inclusion of this allocation within the Local Plan, the following comments are provided: ‘Street lighting should be avoided, and new planting should provide screening’. As per our comments

above, this should be rephrased to stipulate the requirement for native planting. Native planting is particularly important in this area due to the sensitive location of the site in proximity to European designated sites. 'A natural buffer should be retained in the north-east of the site, along the B3179, to conserve foraging areas for nightjars opportunities for BNG and to maintain visual amenity adjacent to the East Devon National Landscape'. The inclusion of BNG in this sentence is confusing. Rewording is required. Additionality also needs to be considered here. 'Any car parking near to the SAC/SPA should be for uses that do not support recreational access to the SAC/SPA'. This statement is not feasible. Any parking provision in proximity to the SAC/SPA is likely to be utilised for recreational access into the SAC/SPA, regardless of what the parking is intended for. A clear statement restricting the development of parking areas within 400m of the SAC/SPA is required.

Full name: Devon Wildlife Trust

Organisation (where relevant): Devon Wildlife Trust

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Devon Wildlife Trust considers the inclusion of this site for development is unacceptable and we object in the strongest possible terms. We consider that the proposed allocation is unsuitable for development both due to the location of the area within the wider ecological landscape and the habitat composition of the site itself. We note that the site was originally scoped out of being allocated in the Site Selection Report (August 2024) for a number of reasons, most significantly ‘there are significant local levels of biodiversity interest at the site that could be adversely affected by development. The site promoter for a southern part of the site shows highway access to the south of the site coming through a length of Unconfirmed County Wildlife Site, which would clearly cause damage.’ Proximity to Designated Sites The proposed Exmo_20 allocation lies directly adjacent to the southern extent of a number of sites which have been designated at the highest level. Exmo_20 lies within 10 metres of Pebblebed Heaths National Nature Reserve (NNR), East Devon Pebblebed Heaths Special Area of Conservation (SAC), East Devon Heaths Special Protection Area (SPA) and East Devon Pebblebed Heaths Site of Special Scientific Interest (SSSI). Devon Wildlife Trust Bystock Nature Reserve also lies within these designations. These sites include a strong element of public access. The proposed allocation lies within East Devon Pebblebed Heaths SSSI Impact Risk Zone (IRZ). Development of land situated within IRZs has potential to have a harmful effect on terrestrial SSSIs and the SACs that they underpin. Natural England consider residential development of 50 units or more likely to have an impact on the East Devon Pebblebed Heaths SSSI. It is understood the proposed allocation is for up to 700 dwellings. Natural England SSSI condition

assessments have been undertaken to determine the condition of East Devon Pebblebed Heaths SSSI, with several parcels which are considered ‘unfavourable recovering’ and ‘unfavourable declining’. Habitats are therefore clearly in a vulnerable condition, and this is likely to be significantly exacerbated by the development of Exmo_20. The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area (SNA). This area has been identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land at scale for development. The proximity of the European sites (SPA and SAC) to the proposed allocation raises considerations under the requirements of the Habitats Directive 1992 for these sites to be maintained or, where necessary, restored at a favourable conservation status (Article 3 (1)). Natural England has a clear presumption against any net increase in residential development within 400m of a heathland SAC. There is a substantial evidence base which demonstrates that urban development in the area around lowland heathland has an adverse effect on the quality of heathland interest features which underlie the designation of the European sites and SSSIs. Key references can be found at:

https://webarchive.nationalarchives.gov.uk/ukgwa/20140605111944/http://www.naturalengland.org.uk/regions/south_west/ourwork/heathlands/default.aspx The current East Devon Local Plan states ‘To help preserve the integrity of the East Devon Pebblebed Heaths, specifically on account of the impacts of domestic cats through bird predation, new dwellings will not be allowed on or within 400 meters of the Pebblebed Heaths.’ The current Second Regulation 19 Draft includes a policy which states ‘To help preserve the integrity of the East Devon Pebblebed Heaths, specifically on account of these potential impacts, new dwellings and tourist accommodation or other developments that may result in unacceptable impacts will not be permitted on or within 400 metres of the Pebblebed Heaths’. It is beyond the scope of this letter to detail the range and diversity of sensitive habitats and species which are supported by the NNR/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development. These include, but are not limited to: ? Disruption to the hydrology of heathland wetland through both drainage interception and enriched urban water discharges. ? Increased air pollution. ? Increased likelihood of arson/accidental fire. ? Damage to habitat and disturbance to wildlife caused by increased use of heathland for off road cycle and motorcycling. ? Increased recreational use, especially by dog walkers, leading to disturbance of ground nesting birds and habitat damage. ? Habitat change from heath to grassland through enrichment by dog faeces. ? Predation by domestic cats on reptiles and ground nesting birds. ? Presence of higher numbers of people and greater recreational use leading to more difficulties in managing the heaths effectively for their designated interests. ? Increased fly tipping of garden and other waste. It is important to note that many of these urban effects can operate

synergistically to exacerbate the adverse impacts on designated interest features. Due to the proximity of the proposed allocation to the SAC, it is incumbent on the local planning authority to undertake an Appropriate Assessment (AA) prior to adopting the Local Plan. It is unlikely that given the scale and proximity of the proposed Exmo_20 allocation to the SAC, that an AA could conclude that there would be no adverse effects on the integrity of the SAC, regardless of the over-arching strategic approach of the South-East Devon European Sites Mitigation Strategy (SEDESMS). Therefore, the authority would need to progress through the derogation process and seek permission from the Secretary of State demonstrating no suitable alternatives and proposing suitable compensatory measures. Devon Wildlife Trust would urge East Devon District Council to remove this allocation from the plan to avoid such impacts altogether.

Habitats/species within the Exmo_20 allocation boundary

The proposed allocation includes a number of areas of high ecological value. Several blocks of woodland are present, a number of which have been highlighted as Unconfirmed Wildlife Sites. These are areas which have been identified as potentially high value habitats, but for which access has not yet been obtained to allow detailed survey. These areas are identified by comprehensive assessment of aerial photography and are therefore likely to support habitat of high value for wildlife. A number of areas within Exmo_20 are listed in the Priority Habitat Inventory, which includes designated areas of ancient and deciduous woodland and other assigned habitats of importance. The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries. For example, nightjar travel away from heaths to feed and therefore development of habitat directly adjacent to heathland has the potential to negatively impact this species associated with primary designation habitats of the European sites. It is deeply concerning to hear that at the time of our comments dated 6 November 2024, enabling works appeared to have commenced on site, with tree felling to create access underway. We urge the LPA to ensure that such works are halted, with compensation measures undertaken to address any biodiversity loss which has occurred. We hope that the information presented above explains why the area encompassed within proposed allocation Exmo_20 is wholly unsuitable for development. We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan.

Revised text in the Second Regulation 19 Draft We note that the LPA has sought to address the significant concerns regarding this allocation with the provision of revised text within the Second Regulation 19 Draft. The revisions provided do not sufficiently address the points outlined above. Notwithstanding our strong objection to the inclusion of this allocation within the Local Plan, the following comments are provided: ‘Street lighting should be avoided, and new planting should provide screening’. As per our comments

above, this should be rephrased to stipulate the requirement for native planting. Native planting is particularly important in this area due to the sensitive location of the site in proximity to European designated sites. 'A natural buffer should be retained in the north-east of the site, along the B3179, to conserve foraging areas for nightjars opportunities for BNG and to maintain visual amenity adjacent to the East Devon National Landscape'. The inclusion of BNG in this sentence is confusing. Rewording is required. Additionality also needs to be considered here. 'Any car parking near to the SAC/SPA should be for uses that do not support recreational access to the SAC/SPA'. This statement is not feasible. Any parking provision in proximity to the SAC/SPA is likely to be utilised for recreational access into the SAC/SPA, regardless of what the parking is intended for. A clear statement restricting the development of parking areas within 400m of the SAC/SPA is required.

Full name: Sara Davies

Organisation (where relevant): Lympstone Water Quality Group

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The land allocations have been based on a flawed decision-making process, specifically: (1) an inaccurate sustainability appraisal (it does not include up to date information on risks to the water environment, and the impact of climate change, (2) an inaccurate Habitats Regulations assessment (e.g. for the Exe Estuary, there is only consideration of the impact of recreation, not water quality), (3) a very weak evidence base on the impacts of climate change (beyond flood risk), and the specific risks to the water environment, (4) no or limited consideration of the existing evidence, including the findings and recommendations of the Water Cycle Study regarding the Exe Estuary, and the latest information from catchment-based projects in East Devon, (5) an overall poor understanding of the impacts of climate change, particularly on the water environment, and (6) inadequate consultation with the community and other stakeholders. Our focus is particularly on the development around the Exe Estuary (Lympstone, Exmouth, and Woodbury), and we have clear evidence to show that the allocation of large numbers of houses in these areas is not sustainable and does not comply with the Habitats Regulations designed to protect the Exe Estuary (a European wildlife site/ SPA).

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Address the fundamental flaws in the Local Plan. Use an integrated catchment-based approach to assess risks to the water environment, and the impact of climate change

(e.g., regarding the Exe Estuary, including the streams draining to the estuary). Review and update the allocations around the Exe Estuary (Lympstone, Exmouth, and Woodbury).

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See comments in 2(b).

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Same as 2(c) - Address the fundamental flaws in the Local Plan. Use an integrated catchment-based approach to assess risks to the water environment, and the impact of climate change (e.g., regarding the Exe Estuary, including the streams draining to the estuary). Review and update the allocations around the Exe Estuary (Lympstone, Exmouth, and Woodbury).

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Our comments in 2(b) demonstrate that EDDC has failed in its duty to cooperate in environmental protection.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We have identified significant fundamental flaws in the decision-making process for the East Devon Local Plan - particularly regarding the sustainability appraisal, compliance with the Habitats Regulations, and compliance with national policy and NPPF on protecting the water environment and adapting to climate change.

Full name: Christine English

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Nearness to the unique and valuable habitat of the Pebblebed Heaths, impacting foraging and nesting sites for species such as nightjar, increasing predation by domestic cats, traffic issues with increased traffic and especially access via the B3179 already a dangerous road, particularly when exiting one of the narrow roads which link to it

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ideally remove Exmo_20 from the Local Plan, otherwise considerably reduce the size of site to make access to Exmouth without car use more feasible and removing proximity to Pebblebed Heaths and likely impact on fauna, and abandoning plan for access via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20, Exmo_17

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

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

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

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Exmo_20: (P85 Local Plan) - this site is outside the NL, with a buffer strip at the top of the site, but does not avoid harm to its character and beauty. • Exmo_17: 410 new homes within the NL. Most, if not all, of these sites cannot be justified as exceptional circumstances. In relation to the very large housing allocations on the eastern side of Exmouth, (Exmo_17 and Exmo_20) the OVA are very concerned

about the lack of infrastructure and necessary support facilities, such as medical, dental, social, educational and highway capacity to accommodate the large increase in population arising from 1,110 new homes in this area. These developments will be closer to Budleigh Salterton than Exmouth town centre, so detailed consideration of the significant impacts this will have on this much smaller settlement must be undertaken, with full public discussion and consultation. The OVA request that this cannot be allowed to proceed without watertight and absolute guarantees for relevant infrastructure to accommodate this planned growth.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Lymp_07

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure a coordinated and comprehensive approach, DCC recommends that the Exmo_23 and Lymp_07 allocations could be covered by a single section (similar to the approach for Exmo_08 and Exmo_16), reading as follows: “The land south of Courtlands Lane (within the Exmo_23 allocation) will form a small-scale development on the northern side of Exmouth to accommodate around 12 new homes. The site at Courtlands Cross north of Courtlands Lane (within the Lymp_07 allocation) will accommodate around 100 new homes and 0.4 hectares of employment land. The field to the west of the housing allocation land is allocated for delivery of sports pitch uses and associated low key ancillary facilities as part of a viable package of planning obligations. Built development at this site, located on the two south-easterly fields, will need to be particularly sensitively designed to avoid potential for adverse impact on nearby heritage assets and to avoid adverse landscape impacts. These allocations will need to come forward on the basis of an agreed coordinated access strategy for both Exmo_23 and Lymp_07 allocations that clearly demonstrates how sustainable transport will be designed and implemented. Particular importance is attached to retention of the East Devon Way footpath, in a spacious corridor, across the Lymp_07 site in a north-south direction. There should also be safe off-street pedestrian and cycle access that provides for east-west movement through the area for existing and future users linking into adjacent areas such as Lympstone Manor. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes.

Through this coordinated access strategy, particular account will need to be taken of providing active travel links to the wider network and towards the town centre with alterations to vehicular access along Courtlands Lane.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_23

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure a coordinated and comprehensive approach, DCC recommends that the Exmo_23 and Lymp_07 allocations could be covered by a single section (similar to the approach for Exmo_08 and Exmo_16), reading as follows: “The land south of Courtlands Lane (within the Exmo_23 allocation) will form a small-scale development on the northern side of Exmouth to accommodate around 12 new homes. The site at Courtlands Cross north of Courtlands Lane (within the Lymp_07 allocation) will accommodate around 100 new homes and 0.4 hectares of employment land. The field to the west of the housing allocation land is allocated for delivery of sports pitch uses and associated low key ancillary facilities as part of a viable package of planning obligations. Built development at this site, located on the two south-easterly fields, will need to be particularly sensitively designed to avoid potential for adverse impact on nearby heritage assets and to avoid adverse landscape impacts. These allocations will need to come forward on the basis of an agreed coordinated access strategy for both Exmo_23 and Lymp_07 allocations that clearly demonstrates how sustainable transport will be designed and implemented. Particular importance is attached to retention of the East Devon Way footpath, in a spacious corridor, across the Lymp_07 site in a north-south direction. There should also be safe off-street pedestrian and cycle access that provides for east-west movement through the area for existing and future users linking into adjacent areas such as Lympstone Manor. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes.

Through this coordinated access strategy, particular account will need to be taken of providing active travel links to the wider network and towards the town centre with alterations to vehicular access along Courtlands Lane.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_23

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure a coordinated and comprehensive approach, DCC recommends that the Exmo_23 and Lymp_07 allocations could be covered by a single section (similar to the approach for Exmo_08 and Exmo_16), reading as follows: “The land south of Courtlands Lane (within the Exmo_23 allocation) will form a small-scale development on the northern side of Exmouth to accommodate around 12 new homes.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC largely welcomes the reference to the Mineral Safeguarding Area and Mineral Consultation Area in the Exmo_20 wording and removes its objection to the allocation. DCC requests that the wording and formatting of the following paragraph is amended (contained at the bottom of page 86) to include a bullet point list and minor wording change to clearly demonstrate the tests that need to be met in order to allow for development should a Mineral Resource Assessment show that the mineral resource is of value. DCC requests the paragraph is amended to read: “Planning permission for development or use of the land (including for open space and recreational uses) in the Mineral Safeguarding Area will not be permitted unless the development demonstrates through a robust Mineral Resource Assessment, that the mineral resource is not of current or potential economic value. Should a Mineral Resource Assessment show that the mineral resource is of current or potential economic value, the development must demonstrate:

- prior extraction of the mineral resource in advance of development will be undertaken; or
- it is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction or operation within the timescale that the mineral resource is likely to be needed.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is noted that the policy wording for Exmo_20 now states the need for a detailed heritage assessment to be submitted as part of a planning application. DCC considers that the proposed allocation occupies a large area within a landscape where minimal formal archaeological work has been undertaken and contains evidence of prehistoric activity in the form of findspots of flint tools and funerary monuments on the higher ground to the north. In addition, this proposed allocation area lies in proximity to the church of St John- in-the-Wilderness, originally the 15th century parish church and protected as a grade II* listed building. Given the archaeological potential of the proposed development site, DCC requests that any proposals for development should be informed and supported by an appropriate level of heritage information. This should take the form of the results of a geophysical survey and field evaluation of the areas affected by the proposed development. To make the need for archaeological assessment clear, and align with the requirements set out in other site allocation policies, DCC requests the policy wording is amended to include “A detailed heritage and archaeological assessment...”.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC recommends the correction of a minor typographical error within the policy text relating to the Exmo_17 allocation as follows: “The development will need to be supported by a new developer provided SANGs, brought forward and implemented as part of the overall scheme on the allocated or on nearby land.” DCC recommends a further minor change to include Castle Lane in the list of locations to be served by pedestrian and cycle connections from the Exmo_17 allocation as follows: “The cycle path bisecting the site will need to be retained and enhanced within an attractive corridor with pedestrian and cycle access routes provided throughout the development. New circular pedestrian and cycle routes should be provided within the site, together with connections to the wider network, including Castle Lane, the South West Coast Path and to local services in Littleham and to the Liverton Business Park.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_18

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC also recommends that the policy text relating to the Exmo_18 allocation should identify the need for active travel and bus enhancements in the event of a secondary access being provided from Salterton Road, and the need for the design of this access to give consideration to potential changes associated with the Exmo_17 allocation opposite, with amended wording as follows: “Any secondary access from Salterton Road should be carefully designed and screened to minimise any impacts on the setting of the National Landscape. In the event of such an access being provided, development should also provide an extension of the existing shared-use path on the northern side of Salterton Road (to the junction with the secondary access), and new/improved bus stops on Salterton Road. Any secondary access should be designed giving consideration to potential changes to road layouts associated with the Exmo_17 allocation on the opposite side of Salterton Road. Existing hedges to the southern and eastern site boundaries should be reinforced and appropriately managed and additional trees planted.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Comments relating to Lymp_14 and Exmo_04a: DCC also recommends that the policy text relating to the Lymp_14 and Exm_04a allocations should identify the need for localised improvements to enhance sustainable travel modes with wording as follows:

Land at Marley Drive (Exmo_04a) This site is allocated for around 50 new homes. The site supports a number of significant mature trees with areas of biodiversity value within the site and to its boundaries which will demand particular sensitivity in respect of site design and implementation to avoid damage and delivery of onsite habitats should reflect and link into adjoining priority habitats. There will need to be pedestrian and cycle access through this site into Site Lymp_14 and thereafter on into Goodmores Farm. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Lymp_14

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC also recommends that the policy text relating to the Lymp_14 and Exm_04a allocations should identify the need for localised improvements to enhance sustainable travel modes with wording as follows: “Land at Coles Field Hulham Road (Lymp_14) This site is allocated for around 59 new homes. Biodiversity interest at and close to this site will demand particular sensitivity in respect of site design and implementation to avoid damage and delivery of onsite habitats should reflect and link into adjoining priority habitats. This site will need to provide pedestrian and cycle access into the adjoining site Exmo_04a. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes.

Full name: Iestyn John

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Clinton Devon Estates

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_18

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

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

Clinton Devon Estates are the owners of a very large area of land within East Devon. As part of its interests, the Estate undertakes residential and commercial development and manages substantial farming and forestry operations. The main issue addressed at that SPC meeting was whether access, be it primary or secondary, should be permitted to Exmo_18 from Salterton Road. This reflected officers' previous concerns over the potential impact on the National Landscape and visual approach to the town centre. The commentary at the meeting focused on ensuring that the openness and visual experience when entering Exmouth from the east is taken into consideration, rather than seeking to impose restrictions on the height of any development at Exmo_18. It was acknowledged that Exmo_17, on the southern side of Salterton Road, sits across from Exmo_18, and that future development of Exmo_17 will alter the view at the entrance to the town. The SPC voted to approve the inclusion of secondary access from Salterton Road adopting wording, set out in the meeting, which related to the design of that access, to minimise the impact on the setting of the National Landscape. At no point during either of the two recent SPC meetings was it proposed or agreed, that the site at Exmo_18 should be subdivided into rigid zones such as the "southern third", nor that any zone should be subject to any special constraints or specific height restrictions. On the contrary, explicit support was shown toward development across the site, including the southern part. There was clear confirmation that the site is a logical extension of an existing, successful business park and important to Exmouth's

future economic function. Restricting the height of the development based on an unspecified topographical feature pre-empts site specific master planning and design work. The SPC's concerns regarding any development fronting Salterton Road/B3178 will be appropriately addressed during the planning process. Ultimately, the acceptability of any development within the southern part of the land on the nearby National Landscape can be assessed as part of any future planning application and, if necessary, changes made to the proposal at that point. Given the concerns outlined above, the policy in respect of Exmo_18 is currently unsound in that it includes limitations which are likely to undermine the deliverability of commercial use on the land. As worded, the policy does not meet the NPPF requirements (at paragraph 36) which requires that local plan policies be justified and effective. We therefore propose an amendment to the policy wording to overcome these concerns.

The Estate has provided representations to the Council as part of previous consultations on the draft local plan and via the related call for sites process. They therefore have considerable interest in the policies and objectives as now set out in the current draft of the plan. On behalf of Clinton Devon Estates, we have therefore reviewed the plan and therefore make the following comments in connection with the proposal to allocate the land to the east of Liverton Business Park under draft Strategic Policy SD01. This policy states:

“This land, to the east of Liverton Business Park is allocated for employment uses and will form an extension to the existing business park and extends to around 2.7 hectares in size. Development should take account of the relationship between the site and the East Devon National Landscape, with particular care taken to ensure that any development in the southern third of the site is sensitively designed and kept below the level of the ridgeline to the south. To avoid adverse landscape and visual impacts on the National Landscape and its setting, primary vehicular access should be taken from the Liverton Business Park. Any secondary access from Salterton Road should be carefully designed and screened to minimise any impacts on the setting of the National Landscape. Existing hedges to the southern and eastern site boundaries should be reinforced and appropriately managed and additional trees planted.” [Our underlining] We welcome the previous Strategic Planning Committee's (SPC) support for the addition of a secondary access to the site from Salterton Road and its decision to amend the draft policy wording to allow for this. However, we have serious concerns over the new requirement to keep development at the southern third of the site “below the level of the ridgeline to the south.” The wording underlined, which was not discussed during the SPC meeting held on 25th November 2025, introduces a new unnecessary, unjustified, and ambiguous planning restriction. There is no clearly defined or obvious

ridgeline to the south when standing at the Salterton Road/B3178 boundary of Exmo_18. The ridgeline could be set by the hedgerow on the southern side of Salterton Road, but its limited height would effectively preclude any development at the southern end of Exmo_18.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Suggested Amendment to Policy Wording for Exmo_18

In summary, the inclusion of the drafting shown underlined above was not explicitly or implicitly endorsed by the SPC and does not define a measurable ridgeline capable of supporting a firm policy restriction. Therefore, we request that the text is revised as follows, with the struck through text to be removed: “Development should take account of the relationship between the site and the East Devon National Landscape, with particular care taken to ensure that any development in the southern third of the site is sensitively designed. To avoid adverse landscape and visual impacts on the National Landscape and its setting, primary vehicular access should be taken from the Liverton Business Park. Any secondary access from Salterton Road should be carefully designed and screened to minimise any impacts on the setting of the National Landscape. Existing hedges to the southern and eastern site boundaries should be reinforced and appropriately managed and additional trees planted.”

Full name: Iestyn John

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Clinton Devon Estates

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_18

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

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Please see attached representations

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

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to be able to provide insight into the issue relevant to the delivery of the proposed development of the Exmo_18 land.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

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

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

3West Developments remain supportive of the allocation and are fully committed to delivering the policy as drafted. 3West can confirm that the site is suitable, available, and deliverable. The company is actively progressing ongoing technical work, including the preparation of technical reports and will be progressing pre-application and consultation. 3West Developments is located approximately 5 miles from the site and is fully committed to the site's deliverability. However, we propose a small number of text amendments to ensure the policy operates effectively in practice:

- The policy wording should explicitly recognise that there may be circumstances where the removal of hedges and/or trees is necessary to enable an appropriate and viable scheme to come forward, and that any such loss should be weighed within the overall planning balance.
- The policy currently requires that development within the Mineral Consultation Area must be designed so as not to constrain any potential future mineral extraction. 3West Developments consider this to be overly restrictive. Instead, where discussions with the Minerals Authority conclude that the area is not suitable for mineral working, it should not be unnecessarily sterilised from development. The policy should be amended to reflect this position and provide greater flexibility.
- In relation to heritage, we consider the inclusion of the term 'extensive area' within the draft policy to be unnecessary and recommend its removal to ensure the policy is

sound. The extent of land to be kept free from development should instead be determined through the detailed heritage assessment required by the policy.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

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

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

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

2.23 3West Developments note the changes made to Policy SD01 since previous consultation stages and welcome the additional clarity provided in respect of heritage, biodiversity, minerals safeguarding and access considerations. The majority of these amendments reflect matters already addressed, or capable of being addressed, through the St. Johns Vision Statement and Addendum submitted previously and therefore do not undermine the suitability or deliverability of the allocation.

2.24 3West Developments are committed to the delivery of this site and can confirm that the draft allocation is deliverable. Heritage

2.25 3West Developments note the strengthened requirement for a detailed heritage assessment, explicitly referencing St John in the Wilderness church, and the establishment of an 'extensive' area around the church within which built development will not be permitted.

2.26 3West, however, consider that it is unnecessary for the word 'extensive area' to be included within the draft policy and recommend that this is omitted to ensure the policy is sound. The area of land to be kept free from development should be informed by the detailed heritage assessment required by this policy. An area of land has been kept free

from development around the church as indicated within the Vision Statement and Addendum, which has been informed by the Site's technical assessment and demonstrates how development can be concentrated in the southern parts of the site while preserving the setting and significance of the church. The allowance for open space (non-sports pitch uses) within this area, subject to no adverse heritage impacts, is welcomed and will assist in achieving high-quality placemaking. Minerals Safeguarding

2.27 3West Developments acknowledge that the northern parts of the site fall within a Mineral Safeguarding Area and a wider Mineral Consultation Area as defined in the Devon Minerals Plan. 3West Developments note the requirement for a Mineral Resource Assessment and, where appropriate, prior extraction. While the importance of safeguarding mineral resources is recognised, it is considered important that these requirements are applied in a proportionate and pragmatic manner, reflecting the likelihood of extraction being economically viable and deliverable within the plan period. Early engagement with the Mineral Planning Authority, as recommended by the policy, will be undertaken to ensure that mineral considerations do not unnecessarily constrain or delay development. The policy also indicates that development in the Mineral Consultation Area must be designed in a way to not constrain any future mineral working. 3West Developments disagree with this rigid approach and consider rather, should discussions with the Minerals Authority confirm that this area is not suitable for mineral working, then the area should not be sterilised from development. This should be reflected within the policy wording and flexibility introduced accordingly. Access Through Safeguarded Area

2.28 The explicit exception allowing for the provision of an access road and associated footway/cycleway through the safeguarded area, subject to sensitive design is also welcomed. This reflects the essential role of this infrastructure in delivering the site and supports sustainable transport objectives. 3West Developments can confirm that this is reflected within the current concept masterplan. Tree and Hedgerow Retention

2.29 The Policy requires existing hedges and trees within the site to be retained and reinforced with additional planting and habitat creation. 3West Developments are developing a scheme that will seek to meet this policy objective, however, strongly consider that the policy should be reworded to state 'where possible'. There must be acknowledgement within the policy wording that there may be instances where hedges and/or trees are required to be removed to allow for a suitable scheme to be delivered, and any loss must be considered in the overall planning balance.

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Policy SD01 allocates Exmo_20 for social and community facilities, 700 homes and 2ha employment land. The north eastern part of Exmo_20 is within the Mineral safeguarding Area (MSA). Whilst the SA suggests that the presence of the MSA within this allocation is of limited concern, this conclusion fails to consider the buffer which will be required between any permanent development and any mineral working and the implications for site capacity and deliverability. It is relevant that Devon County Council (DCC) has objected to this allocation on the basis that it has the potential to sterilise underlying sand and gravel and constrain future working within parts of the MSA inconsistent with the NPPF and Devon Minerals Plan. Whilst DCC have recommended steps to address this concern, the policy amendments do not reflect these recommendations. Despite allocation, the deliverability and capacity of this site is questionable in the absence evidence to address DCC's objection

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
McMurdo Land Planning and development Ltd on behalf of *** Personal details have been removed ***

Minerals Policy SD01 allocates Exmo_20 for social and community facilities, 700 homes and 2ha employment land. The north eastern part of Exmo_20 is within the Mineral safeguarding Area (MSA). Whilst the SA suggests that the presence of the MSA within this allocation is of limited concern, this conclusion fails to consider the buffer which will be required between any permanent development and any mineral working and the implications for site capacity and deliverability. It is relevant that Devon County Council (DCC) has objected to this allocation on the basis that it has the potential to sterilise underlying sand and gravel and constrain future working within parts of the MSA inconsistent with the NPPF and Devon Minerals Plan. Whilst DCC have recommended steps to address this concern, the policy amendments do not reflect these recommendations. Despite allocation, the deliverability and capacity of this site is questionable in the absence evidence to address DCC's objection.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::

Exmo_4a, Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The developability of sites

6.7 Whilst a detailed assessment of the developability (or deliverability) of sites has not been undertaken for the purposes of these representations, given that the position will change on an ongoing basis up until this is examined, the preceding charts illustrate that the supply is likely to be materially lower than suggested in the emerging Local Plan.

6.8 Indeed, it is immediately apparent from the emerging Local Plan that a number of proposed allocations face significant challenges which will need to be overcome in order for these to be developed including for example at Land at St John's (Exmo_20).

6.9 Strategic Policy SD01 identifies that if this proposed allocation is to be developed, it will need to provide an extensive area of land around the Grade II* Listed St John in the Wilderness Church in the western parts of the site to avoid unacceptable harm to this heritage asset. This is explained in greater detail in the Site Selection Report Addendum which identifies that the development of this site has the potential for significant heritage harm which will necessitate either the exclusion of the most harmful parts of the site from the allocation or a policy requirement to restrict the use of these areas to non-harmful uses. On either basis, the Addendum recognises that dependent on the extent of other constraints this may reduce the number of homes that may be deliverable on this site.

6.10 Strategic Policy SD01 also indicates that the northern parts of this site are within a Minerals Safeguarding Area such that these areas should not be developed unless it is

demonstrated that the mineral resource is not of current or potential economic value.

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6.11 The Policy also identifies that parts of the site are of biodiversity importance which will need to be protected and enhanced. These included unconfirmed wildlife sites which run cover sections of the western and eastern parts of the site, and which will be unable to be developed.

6.12 The Policy also recognises that no development should occur within 400m of the Pebblebed Heaths SAC/SPA which covers a significant proportion of the northern part of the site, and that owing to the proximity of the site to these designations, SANGs will need to be provided which is likely to further constrain the amount of developable land.

6.13 Similarly, the Policy requires an appropriate buffer to be maintained along the north-east of the site to conserve foraging areas for nightjars and that this buffer will also be required to ensure that the development does not adversely affect the setting of neighbouring East Devon National Landscape to which great weight should be afforded as set out in paragraph 182 of the NPPF.

6.14 The Policy then also requires that the development provides heathland in the north-eastern part of the site as landscape enhancement.

6.15 The Policy then proceeds to identify the potential for unacceptable adverse highways impacts which will need to be resolved before any development can come forward.

6.16 In light of these numerous constraints, substantial parts of the site will be unable to be developed. This in turn places doubt on the viability of the delivery of any homes on this site, but even if it is able to be demonstrated that some homes could be delivered, firstly these wouldn't be expected to contribute to the supply for an extensive period whilst these numerous constraints are resolved, and secondly it is likely that far fewer than 700 homes would be able to be acceptably accommodated in any event.

6.17 Whilst Land at St John's is just one example, it provides an indication of the fact that as has proved to be the case historically, fewer homes will be delivered than anticipated by the housing trajectory, such that the emerging Local Plan will need to provide sufficient headroom to allow for this, and based on the preceding analysis a 9.7% headroom will be grossly insufficient.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

Exmo_20 – Land at St. Johns The above increase at Exmo_04a is considered to be doubly important, considering the very serious concerns that have been raised over the deliverability of the Land at St. Johns, certainly in terms of the overall quantum. Significant concerns have been raised by local residents and key stakeholders, particularly with regard to heritage impact, impact on mineral resources and possible impact on the National Landscape. Whilst this is recognized in the supporting text relating to Exmo_20, these issues are yet to be resolved and must cause considerable doubt to be raised over both the quantum of development that can be delivered and also the timescales for its delivery. Taking all of the above into account, whilst the proposed allocation at Exmo_04a is supported in principle, the overall quantum should be increased in order to assist with the additional housing need requirements emphasized within the Pegasus' report, along with the significant concerns over the deliverability of other proposed allocations, in particular Exmo_20 (Land at St. Johns). I trust that the above is satisfactory but please do not hesitate to contact me if you have any queries. Yours faithfully,

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04a

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

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

Exmo_04a – Land at Marley Drive, Exmouth Rubix maintains its support for proposed allocation Exmo_04a (Land at Marley Drive, Exmouth) in principle. However, as advised in representations submitted previously, it is considered that the proposed quantum of c.50 dwellings is insufficient as the site can accommodate significantly more than this, taking into account the site characteristics and constraints. Rubix submitted an outline planning application in February 2025, seeking approval for residential development of the above site for up to 130 dwellings, public open space, landscaping, sustainable urban drainage system and engineering works, with vehicular access off Higher Marley Road (Application ref: 25/0078/MOUT). The Concept Masterplan submitted with the application (Ref No: RS402/120 Rev.H – attached), illustrates how the site can be developed for this higher quantum, whilst retaining significant areas of parkland and incorporating additional tree planting to mitigate for the small loss of existing trees required to accommodate the development. The Plan also allows for pedestrian/cycle links, both to the adjoining proposed allocation (Lymp_14) and the existing development at Goodmores Farm. The Concept Masterplan has had significant regard to various surveys undertaken in respect of ecology/biodiversity, landscaping and arboriculture, and has been designed to ensure that the development maintains the overall landscape/parkland character of the site. The loss of parkland on the site can be adequately mitigated through the provision of new parkland elsewhere within the District and arrangements are in place to secure this. Consultee responses received to

the above planning application indicate that the principle of developing the site for c.130 dwellings is acceptable. Responses can be summarized as follows:

1. Highways – no objection, subject to conditions. Access onto Higher Marley Road is acceptable
2. Natural England – no objection
3. Contaminated Land officer – no objection, subject to conditions
4. Environmental Health - no objection, subject to conditions
5. Housing Enabling Officer - no objection, subject to conditions
6. County Archaeologist - no objection, subject to conditions
7. South West Water – no objection Rubix is currently in discussion with the Council's ecologist, arboriculturist and landscape officers regarding the layout and it is anticipated that amendments to the scheme will overcome current concerns. Minor issues relating to drainage are also in the process of being resolved with the LLFA.

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

Rubix maintains its view that an allocation of c.50 dwellings fails to make efficient use of the site in terms of achievable residential densities, considering in particular its very sustainable location on the edge of the Tier 1 settlement of Exmouth. This is clearly a suitable and available site, with the outline application also emphasizing its short-term deliverability. In addition, East Devon DC cannot currently demonstrate a five-year supply of housing land, falling well below this target at just 2.97 years (December 2024). In such circumstances, and considering NPPF paragraphs 129 - 130, the Council should be seeking to maximise development densities at this proposed allocation, taking into account prevailing environmental and other constraints. In this regard, the Exmo_04a allocation is inconsistent with national planning policy and its overall quantum should be increased to around 130 dwellings.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Andrew and Philip Cork

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:

Lymp_07, Exmo_20, Lymp_09, Lymp_10a

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

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

[This representation also applicable to Development in the Towns and Villages chapter paragraphs 5.1 to 5.3]

As set out in previous representations we are disappointed that the Part 2 Regulation 19 Consultation continues to overlook additional opportunities for housing provision at Exmouth (including sites previously identified at earlier stage of the Plan). There remains significant capacity at Exmouth for a range of smaller sites to come forward that can benefit from existing infrastructure and accessibility. This would provide greater resilience to the Plan as a whole, particularly in light of the uncertainties around Marlcombe and other larger allocated sites.

Courtlands Cross (Lymp_07): We note no further changes have been identified to the Courtlands Cross allocation and support this. The current outline planning application for the site under determination by EDDC demonstrates how a design and landscape development on the northern edge of Exmouth can be achieved that delivers a number of clear benefits.

This includes energy efficient homes to meet local needs (including affordable housing); provision of recreational benefits through new sports pitches and a financial contribution towards a new club house; delivery of local employment opportunities; significant areas of landscaping and public space; provision of ecological habitat and enhanced pedestrian routes and connections to the wider network. The application has addressed all technical consultee comments and demonstrates that there are no outstanding constraints to development.

Land at St John's (Exmo_20): We, alongside other respondents to the original Regulation 19 Plan consultation raised significant concerns regarding the inclusion of the St John's site at a late stage of the Plan's preparation having been previously rejected on the basis of its constraints and uncertainty of delivery (as acknowledged by officers during the site selection process).

Our previous representations highlighted the following issues:

- The site's distance from existing services and facilities rendering it unsustainable;
- Increased separation as a result of the proposed northern access onto the B3179;
- The potential for rat running on unsuitable roads and capacity issues on the existing highway network;
- Ecological sensitivities given proximity to European sites and existing extensive woodland and wildlife sites within its boundaries;
- Harm arising from impacts on the setting of Grade II* St John's Church which contributes significantly to its special interest and is a designated asset of the "highest significance" and the likelihood of the developable area being significantly reduced as a consequence; and
- Uncertainties regarding the feasibility, viability and timing of delivering the essential infrastructure to support the site.

The Part 2 Regulation Consultation version provides additional text regarding most of the matters listed above, therefore recognising the importance of the above matters, but simply seeks to defer these critical matters to the need for further work and assessment. This further work should have been done prior to the allocation of the site and assumptions in terms of the acceptability of the site and its capacity for residential development. Assumed numbers are likely to be significantly reduced on the basis of the heritage, mineral and ecological constraints yet does not appear to have been taken

into consideration in the review of the policy and overall housing provision within the Plan.

Importantly a reduction in capacity will render the delivery of necessary infrastructure even less viable and prevent any redress of the site's distance and separation from existing services and facilities. Therefore, the Plan will not be promoting sustainable development.

The changes to the policy wording do little to address the fundamental concerns raised regarding this site, which received a substantial number of objections at the original Regulation 19 stage. We continue to believe that it is clearly a more sustainable strategy to deliver a range of sites which provide good access and connectivity options to existing services and facilities whilst offering opportunities for enhancement of existing infrastructure to support the growth of the town.

Land at Hulham Road (Lymp_09 and Lymp_10a): Given the uncertainties around St John's and Marcombe alongside other large allocations within the Plan, we are disappointed that the Part 2 Regulation 19 consultation version of the Plan continues to omit my client's site at Hulham Road. This is despite its identification in earlier versions of the Plan, officers' recommendation that it should be included in the Regulation 19 Plan and the supporting submissions previously made.

The exclusion of the site by Members on the basis of impact on trees and connectivity was unfounded as demonstrated by the current outline planning application for the site under determination by EDDC. This demonstrates how tree loss is minimal and sets out a number of improvements along Hulham Road that would significantly improve highway safety and the walking environment for pedestrians, as well as providing safe crossing points to the south to match desire lines that link to the existing footpath network. Importantly DCC Highways raise no objection to the planning application and no inherent technical constraints have been identified that would prevent the development of the site.

The site was also wrongly referred to during the site selection process as being within in the adopted Coastal Preservation Area (CPA) when it is not. Although proposed to be included in the CPA under the Emerging Plan, evidence has been provided that shows the site does not demonstrate visual openness or have views to and from the sea or to

have any visual connection that would warrant its inclusion in a revised CPA boundary. The review undertaken by Pegasus has been submitted as part of both the Regulation 18 and Regulation 19 Plan consultations.

Our position remains that there are no good reasons for the Plan not to allocate the Hulham Road site. It represents a logical extension to the town and will support a high-quality residential development alongside important highway improvements. It is a site that is relatively unconstrained nor overburdened by infrastructure requirements. The site can come forward quickly to support delivery in the earlier stages of the Plan period and provide much needed resilience to the Plan's strategy. Without having a range of sites within Exmouth the Plan will over rely on housing delivery from site's like St John's which are more constrained and difficult to bring forward, particularly given the significant uncertainties around the deliverability of that site as highlighted above.

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

We believe further growth at Exmouth should be provided for through the allocation of further sites. This will underpin the Plan's strategy to ensure sufficient housing growth in the town throughout the Plan period, including at an early stage. The site at Hulham Road is unconstrained and has been identified as a preferred choice site based on its suitability. There are no impediments to its delivery and as such it can make an important contribution to the Plan. Policy SD01 should therefore be modified to include land at Hulham Road (Lymp_09 and Lymp_10a) as an allocation. Further work should be undertaken to underpin the allocation at St John's to address some of the clear delivery issues set out in these representations and raised as matters to be addressed within the relevant policy wording of the allocation. If these cannot be overcome and/or result in implications for quantum and delivery, then this does bring significant doubt as to whether the site should continue to be allocated.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To elaborate further on these and previous representations made on the Plan, including providing evidence to support the necessary Modification of the Plan.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::

Exmo_17

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

Strategic Policy SD01 – Exmouth and Its Development Allocations Bloor Homes

continue to strongly support the allocation of Exmo_17: Land to the South of Littleham for 410 homes with 1.6ha employment space and supporting community uses.

Regarding this, please reference the representation submitted to the First Regulation 19 Draft. In terms of the minor changes to the policy, as set out in the Second Regulation Draft, we would comment as follows. The policy amended slightly in respect of its location within the East Devon National Landscape. It now states: 'The site is located in the East Devon National Landscape and particular sensitivity will need to be taken in respect of design and development approaches to conserve and enhance the natural beauty of the site and its wider landscape setting.' Bloor Homes support this minor change. The site's location within the National Landscape has driven the approach to the site's proposed development in discussions with EDDC, East Devon National Landscape and the local community. Bloor are acutely aware of the need to create a landscape-led development that reflects the sensitivity of the site and ensure the wider beauty of the National Landscape is conserved and enhanced.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In addition, the following requirement is included within the allocation: 'New circular pedestrian and

cycle routes should be provided within the site, together with connections to the wider network, including the South West Coast Path and to local services in Littleham and to the Liverton Business Park.’ The provision of a new circular pedestrian and cycle routes is supported by Bloor Homes. The emerging masterplan for the site includes a new circular footpath and cycle routes through the site to ensure that there are wider connections to the wider network. The new cycle and pedestrian routes are at the heart of the accessibility and sustainability strategy to the site. Bloor Homes support this minor change.

Full name: Loulou Albert

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We robustly reject the Exmo20 plan for the following reasons:-

1. Damage caused to the Special Site of Scientific Interest (heathland) & the destruction of the National Landscape 2. Increased risk of FLOODING. (Concrete replacing grass) 3. Loss of good agricultural land leading to increased FOOD MILES as food would need to be imported 4. Insufficient INFRASTRUCTURE ie insufficient sewerage systems (overload of faecal matter etc)

Furthermore, heavy traffic numbers jamming up the narrow roads already coping with an increase in traffic pollution.

Full name: Iain Allars

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am a Budleigh Salterton resident and I would like to voice my objection to this application.

To summarise my objections:

1. The local infrastructure would struggle. Budleigh Salterton only really has two roads in and out and this will choke one of those access roads.
2. The effect on the SSSI of the pebblebed heaths
3. The effect on local services to cater for this amount of residents i.e. Doctors, Dentists, strain on Police and Fire Service.

I would ask for confirmation that this has been received.

Full name: Leah Allen

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

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

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

Dear sir/ madam

I write in opposition of the above planning request.

The area in question backs on to my own field where I keep my horses so I know the land well.

I have a number of concerns with this proposal but will limit to 3 main areas:

Access Drainage Wildlife

Firstly, access to and from the site is to be via higher marley road. For planners unfamiliar with the area, the current access to the land is between oak trees (all with TPO's) so should not be able to be widened. All the oak trees along the hedge line (including my own) have TPO's and as such, will dictate the size of the access to the site. Access and egress is onto a bend in higher Marley road. The road is narrow and there are regularly small accidents on this corner as oncoming traffic meet traffic heading towards the common. It is further hampered by large trees overhead which

cause a great deal of shadow and so motorists can be driving in bright conditions to sudden shade and be faced with a car in the middle of the road.

I have permission (from the landowners of the land in question) to ride my horses in their field when conditions are suitable. Exiting from the gateway on to higher Marley Road is not a pleasant experience. Visibility between the bordering oak trees is extremely limited and cars travel far too fast. Despite copious amounts of high viz clothing on myself and my horse, it is difficult to see us at the gateway. My riding position means I am quite high up and have better visibility of oncoming traffic than car drivers would so have always been able to safely judge my exit. With the volume of traffic using a small lane, significant traffic from a new build site and coupled with numerous, almost daily small accidents at the bend it is difficult to understand why this proposal would even be considered. I strongly suggest planners take some time to visit the site, particularly in morning and evening ‘rush hour’ when higher Marley road is used as a cut through.

Drainage. Anyone who already lives on higher Marley road will attest the run off from Woodbury common is significant. Building on the site will only increase the problems of drainage. Planners are welcome to visit my own field and witness first hand the impact of water run off from the pebble bed heaths. The land in question, which I know well, is very wet and boggy as it takes run off from the common and surrounding areas. Building on this land would only worsen this.

Wildlife and conservation. This land is WOODPASTURE PRIORITY HABITAT. It is home to many endangered species, as detailed in the ecological report. Many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley House and was probably laid out when previous house ‘Whimsey’ was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet EDDC have put this forward for building. As well a parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. I am already seeing far more deer in my small field than ever before. Presumably displaced from ‘Goodmores’ . Further destruction of their habitat will drive them out, into gardens and surrounding areas. I have personally seen two killed this last year on higher Marley road as they were trying to cross to get into Bystock Woods.

I oppose this planning proposal in the strongest possible terms. This area of Exmouth is not built for the volumes of traffic it is already dealing with. Further development, without significant infrastructure improvements is, frankly, insanity.

I would be very happy to meet planners at my field and discuss all of these concerns.

Yours faithfully

Full name: James Alpe

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed large-scale development of circa 700 dwellings would have an huge impact on the surrounding area - particularly on traffic flows onto and along the B3179 and onwards. The plan makes reference to mitigation measures, and also to provision of pedestrian / cycle / public transport links, but given the site location it seems unlikely that these would have much use, most access would inevitably be by car, along roads that are ill suited to higher car volumes - including potential short-cuts such as Dalditch Lane.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The development should be rejected , or significantly reduced in scale with primary access from the south (route tbc).

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Richard P S Andrews

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Paul Angell

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

Reduce size of Exmouth 20. How can the town infrastructure cope with more people. Do not access via Southern Wood. Suggest you see how restricted this access road is with current parking. Move away from Pebblebed Heath which is such an important open space for wildlife.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Phil Ashworth

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20, Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am emailing because I have given up in despair trying to use the Commonplace portal to comment on Exmo20 primarily but also Exmo17.

All my comments apply to both schemes but especially Exmo20.

It is a misnomer to call this Exmouth. It is in fact far nearer to Budleigh where the already stretched services especially medical and sewerage are already unable to cope.

The Exmo 20 site will maroon residents away from existing public transport and lead to extra traffic on already inadequate roads. It is no better than a B road.

The intention to build 22,000 new dwellings in East Devon by 2042 is an increase of 33%

The Infrastructure is unable to meet the needs of the current population which increased by nearly 14% between 2011 and 2021. This is greater than any other part of Devon and Cornwall.

This has lead to increased road congestion, more sewage in the sea, rivers and estuaries. There has been pressure on health, social care and education services. I can find no reference in the plan to the provision of these much needed improved services.

I am appalled by the impact both these schemes will cause to the unique environment and species in the acclaimed Pebblebed area.

Full name: Susannah Ashworth

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am emailing my response to Exmo20 primarily, but also Exmo17, as I have found the commonplace portal is far from being user friendly.

All my comments apply to both schemes, but especially to Exmo20.

It is a misnomer to call this a proposal for Exmouth. The site is far nearer to Budleigh Salterton and accessed by a narrow B road running away from Exmouth.

Services and facilities in the small town of Budleigh are already stretched to breaking point. Sewerage and the constant threat of water and sea pollution are a particular issue in a town which has had no significant investment in infrastructure in years.

I can see no reference to the necessary infrastructure developments to mitigate any issues from day one of any building. The Exmo 20 site will maroon residents beyond walking distance to either Exmouth(4 miles to the centre) or Budleigh (2 miles) and lead to extra traffic on already inadequate roads. There will be a significant effect on air quality.

The intention to build 22,000 new dwellings in East Devon by 2042 is an increase of 33%. It is not clear which data/ figures ie local or national, have been consistently used in proposals , but it is an excessive number of houses for Exmouth and Budleigh.

The impact both these schemes will cause to the unique Pebblebed environment and species has not been fully addressed in the proposals. There will be significant damage to the unique area and considerable light pollution in an area that is currently dark. The development is on land rising upwards which means the lights will be seen far and wide and from the other side of the Exe estuary.

The proposal appears to be in conflict or at variance either many of the stated aims of the NPPF of December 23 and should be rejected and further reviewed.

A smaller development, with less damaging impact should be considered which ties the proposed housing to Exmouth.

Full name: Richard John Baker

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the See Stop Exmo.20 Facebook page for full comments SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Richard John Baker

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Ray Balkwill

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: In my opinion this development should be considerably reduced as the impact on the historical setting of the church, natural environment as well as the town itself will be immense. The infrastructure is already stretched to the limit. I presume the developer has drawn up a Sewage Management Scheme to ensure the network as a whole is not further overloaded as a result of the development? Also as far as I can see there is no visible access to the site. I suggest if this vast development goes ahead then the current 'Welcome to East Devon Area of Outstanding Natural Beauty' sign on the Exmouth to Budleigh Salterton be taken down, as it will be totally inappropriate.

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

Full name: David Barnett

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: ***
Personal details have been removed ***

I object to the proposed planning of buildings on Exmo-17 in the local plan for the following reasons.

1. Large housing should not be built on National Landscape.
2. It would be cheaper to build more affordable houses on non National Landscape land.
3. exit from this site will cause traffic chaos.
4. Sewage system is not fit for purpose.

Regards *** Personal details have been removed ***

Full name: Caroline Barnett

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the proposed planning of buildings on Exmo-17 in the local plan for the following reasons.

1. Large scale housing should not be built on National Landscape. Our beautiful countryside ruined and the impact on Devon's wildlife.
2. It would be cheaper to build more affordable houses on non National Landscape land.
3. exit from this site will cause traffic chaos. With potentially 2 cars per household.
4. Sewage system is not fit for purpose.
5. The quality of the roads are very poor. It must be tempting to wave this through as the council benefits from more council tax payments but the infrastructure just isn't in place. Please re-think your decision?

Sent from my iPhone

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

Full name: Howard Barrow

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Howard Barrow

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Howard Barrow

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Susie Bates

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to lodge a complaint regarding the outrageous plan to build so many many homes on what is considered a beautiful area with all the RSPB and other conservation orders on this land.

It is under National and International ecological protection. It's a special area of conservation. I can't understand for the life of me why anybody would choose Such a habitat filled, and environmentally beautiful piece of Land to demolish and fill with concrete.

I understand that the small pockets of Land which were available in Woodbury and Lympstone were probably uneconomical compared to a larger piece of Land, which would be more cost-effective. Unfortunately, this piece of Land is really really not suitable for building any home on.

Dinan way is becoming more of a Cranbrook, eyesore. There are houses they still unsold as there are in many other housing estates.

There are enough vacant premises i.e. shops flats and many more Brownfield sites which could be converted into living accommodation for those that need it. Obviously, this is not economical for most building companies so let's carry on and demolish whatever piece of Green land we have left.

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It breaks planning rules: Exmo_20 goes against national planning policy, so the plan is unsound and not legally compliant. It makes protecting nature harder: With too many houses planned, the strategies needed to protect the Pebblebed Heaths SPA/SAC/SSSI don't make sense. Exmo_20 should be removed. There are errors in the evidence: Mistakes in the council's housing reports (HOU-002 and HOU-001) make the plan's housing policies unreliable. These errors need fixing, and the plan should go back out for consultation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It breaks planning rules: Exmo_20 goes against national planning policy and the Local Plan, so the allocation is unsound. Getting there relies on cars: The main road access is 2.3 miles from Budleigh Salterton and 4 miles from Exmouth. That means almost everyone would need to drive, increasing traffic and emissions. It doesn't fit the settlement hierarchy: Building here would put too much pressure on Budleigh Salterton and goes against the Local Plan's rules about how towns should grow. The council didn't fully check impacts: The Local Planning Authority didn't properly assess whether Budleigh Salterton could handle this extra housing or its effects on the town. Walking and cycling aren't realistic: The hills and the site's location make cycling or walking to shops, schools, or services impractical, which goes against sustainable transport policies.

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

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It breaks planning rules: The Exmo_20 site goes against national planning policy and the Local Plan's transport policies. Because of this, the allocation is unsound. It would lock people into car use: The site is in a remote location, with the main access coming off the B3179. This means most residents would have no real choice but to drive everywhere, leading to more traffic and emissions. Walking and cycling aren't realistic: There's no clear evidence that people living here could easily walk or cycle to shops, schools, jobs, or services. Recent changes to transport policy say walking and cycling must be the first choice, which this site clearly doesn't support. The layout makes travel even worse: People living in the southern part of the site would have to drive over 1km just to get out of the development and onto the main road. That's a daily car trip before even reaching a destination, which shows how poorly designed and unsustainable the site is. Nearby towns would feel the strain: Extra car journeys would add pressure to

roads in Budleigh Salterton and Exmouth, going against the Local Plan's strategy for managing growth and transport.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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REMOVE EXMO_20 FROM LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It breaks planning rules: The Exmo_20 allocation goes against national planning policy and the Local Plan. Because of this, the site allocation is unsound. Flood risk has been downplayed: The council's flood assessment barely mentions Withycombe Brook, even though Exmouth has a long history of flooding, with major events in 1960, 1983, and 2012. The site could make flooding worse: Exmo_20 is undeveloped land above the town. Rainwater from this site would run straight into nearby streams and into Withycombe Brook, which flows through heavily populated parts of Exmouth. Building here increases the risk of flooding for people living downstream. Proper flood-risk checks weren't done: Planning rules require councils to choose sites that avoid flood risk wherever possible. That step wasn't properly followed for Exmo_20, meaning the site was selected without fully considering safer alternatives. Climate change hasn't been factored in: The flood risk assessment doesn't properly account for heavier rainfall

and more extreme weather caused by climate change, which increases the danger for future residents and existing communities.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It breaks planning rules: The Exmo_20 site goes against national planning policy and the Local Plan. Because it doesn't follow these rules, the allocation is unsound and shouldn't be included. It sits in a key nature buffer: Exmo_20 is inside a Strategic Nature Area that acts as a buffer between Exmouth and the Pebblebed Heaths, which are highly protected. The land supports Nightjars (a protected bird species) and forms part of a wildlife corridor linking habitats to the coast. Building here would damage nature protection goals: Development would weaken the purpose of the protected Heaths, break up important habitats, and harm features like veteran trees, ancient woodland, and hedgerows. It also conflicts with Devon County Council's planned Local Nature Recovery Area, due to be designated under the Environment Act. Wildlife experts strongly object: Devon Wildlife Trust says this site contains nationally important habitats and species, and that building here would cause serious harm to the integrity of the protected Heaths. Strategic Nature Areas are meant to be improved for wildlife,

not built on. It creates serious legal and planning problems: Exmo_20 cannot be developed without damaging internationally protected habitats. Because of this, its allocation directly conflicts with planning law and Local Plan policies and should be removed from the plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It goes against planning rules: The Exmo_20 site conflicts with national planning policy and Local Plan heritage policies. Because of this, the allocation is not sound. It would seriously damage an important historic site: Building a development of this size around St John in the Wilderness Church (a highly protected historic building) would harm its setting, the churchyard, and the remains of the surrounding Medieval Saxon settlement. The landscape would lose what makes it special: This area is valued for its remoteness, dark skies, and “wilderness” feel. Even with a buffer zone, that character would be permanently damaged. Historic England has raised concerns: Much of Exmo_20 sits within the church’s setting. A new access road from the B3179 on the northern side would make the harm worse and could open the door to more development pressure in the future. Better options haven’t been properly explored: Historic England recommends looking at other access options from the south, shrinking or reshaping the

site, or limiting the size and type of development to areas that are less sensitive and easier to justify.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS COMMENTS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It breaks planning rules: The Exmo_20 site goes against national planning policy and the Local Plan. Because it conflicts with these rules, the allocation is unsound and not legally compliant. There's no realistic way in or out: The main access would be from the B3179, but this would need major road changes that haven't been properly designed, costed, or approved by Devon County Council. Right now, there's no confirmed, workable access to the site. Traffic problems would get worse: Building here would push more traffic onto the B3179, increasing congestion and air pollution. That pollution would also affect the nearby Pebblebed Heaths, which are protected for wildlife. The council's own habitat assessment raises red flags: The Habitats Regulations Assessment says there isn't enough certainty to rule out harm to the Pebblebed Heaths

from air quality impacts. In simple terms, they can't prove this development wouldn't damage the site. The precautionary approach hasn't been followed: Planning and environmental law say harm should be avoided first, not dealt with later. Exmo_20 was allocated anyway, even though the risks aren't fully understood or avoided. High legal risk: The council's own mitigation strategy admits that mitigation can't be assumed without solid evidence. Because there's no scientific certainty that impacts can be properly mitigated, including Exmo_20 is legally unsafe.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: NOT COMFORMED TO REGS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMOU_20 FROM LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: he

Exmo_20 allocation conflicts with key national planning policies and the Local Plan.

Because it goes against these rules, the site is considered unsound and not legally

compliant. The wildlife buffer is too small: A 400-metre buffer from the Pebblebed

Heaths has been suggested, but science shows this isn't enough. Cats can roam more

than 2km, and even one attack can wipe out a Nightjar nest. This means the current

buffer doesn't properly protect wildlife and doesn't follow the precautionary approach.

It relies on plans that don't exist yet: Exmo_20 depends on a mitigation strategy and a

habitat assessment that haven't been completed. When impacts aren't fully

understood, planning rules say development should be pulled back. At the very least,

the land closest to the Heaths (including the 400m zone) should be removed from the

site. The land is important for protected species: The site provides feeding habitat for Nightjars, a protected bird species. Extra pressure from dogs, walking, and cycling hasn't been properly assessed at the site level, even though this is a known risk. Ecology experts are raising red flags: Groups like Devon Wildlife Trust, the RSPB, and the East Devon National Landscape Partnership all say a 400m buffer isn't enough. They've called for a major rethink of the site size, housing numbers, and boundaries, with development kept closer to existing settlements instead. Better options were available: There are other sites that could deliver housing with fewer environmental impacts, especially since the plan already includes more homes than needed due to outdated population data. This makes choosing Exmo_20 hard to justify. Natural England isn't satisfied: The policy is unclear about employment land and how buffers will work. Natural England recommends a stronger natural buffer along the B3179, moving development boundaries away from protected land, and securing green space through legal agreements to meet basic planning standards.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: HAS NOT FOLLOWED CORRECT LEGAL PROCESS - EG HELAA REGS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It breaks national and local planning rules: Allocating Exmo_20 goes against multiple national planning policies and the Local Plan. Because it conflicts with these rules, the site allocation is not sound and does not meet legal requirements. Nature protection hasn't been properly dealt with: The site sits right next to the Pebblebed Heaths, which are heavily protected for wildlife. There's no clear or proven plan showing how damage to habitats and species could be avoided or fixed. The council's own habitat assessment says there is an "inherent conflict," and there's still no solution. The law was applied in the wrong order ("People over Wind" breach): Exmo_20 was approved before the legally required Appropriate Assessment was completed. This goes against the precautionary approach set out in the "People over Wind" court ruling (and is also

relevant to the “Dutch N” case), which says impacts on protected sites must be fully assessed before a site is chosen. Better sites were ignored: Planning rules say that if a site needs major mitigation, the council must show it has considered better options first. That didn’t happen here. Other sites that caused fewer environmental problems were available, but they weren’t properly assessed. Too many houses are already planned: The housing numbers are based on outdated population data, meaning the plan includes more homes than are actually needed. This removes any argument that Exmo_20 is required to meet housing demand. Real damage to local wildlife is likely: Devon Wildlife Trust has said the site acts as a buffer for nearby protected land. Building here would shrink and damage important habitats, even though they sit just outside the official protected boundary. The council failed in its legal role: As the “Competent Authority,” the council has not properly carried out its legal duties to protect wildlife under habitat and species regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

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

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

Full name: Ollie Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: NOT COMPLIANT AT HELAA STAGE

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REVISIT THE SITE ALLOCATIONS WITH THE ACTUAL FACTS

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Why Exmo_20 shouldn't be in the plan It failed from the start: Exmo_20 failed the 2022 HELAA assessment, which means it should have been rejected straight away. Because of that failure, it should never have been considered for development at all. The site was recreated after it failed: After Exmo_20 failed, two new sites (Exmo_20a and Exmo_20b) were created in November 2022 to get around that failure. ***** approved Exmo_20a even though officers advised against it, then later merged both sites back together and called it Exmo_20 again. ***** were shown misleading maps: The maps used to support the decision included land that isn't available, homes that already exist, and even a church with a graveyard. This made the site look much bigger and more suitable than it really is. Important environmental protections were left out: The site's protected

environmental designations (SAC/SPA) weren't shown, and its closeness to Budleigh Salterton was ignored, even though both are highly relevant. Rules to protect nature were broken: The site was chosen before the legally required Appropriate Assessment was completed in January 2025. The Habitat Regulations Assessment even says there is an "inherent conflict" with protected habitats, and that conflict still hasn't been resolved. This goes against the "People over Wind" legal ruling. False claims were made in official documents: The Regulation 19 Sustainability Appraisal wrongly said Exmo_20 passed the HELAA, which isn't true. The rules were changed after the fact: A May 2022 Site Selection Methodology clearly ruled out sites like Exmo_20 that failed HELAA. That document was later removed and replaced in December 2024 with a new version that suddenly allowed failed sites to be allocated. Evidence was changed during consultation: Key evidence documents were altered while the public consultation was still ongoing. On top of that, the plan already includes more housing than the district actually needs, which weakens any argument that this site is "necessary." High legal and planning risk: Because of all these procedural mistakes, misleading information, and legal problems, allocating Exmo_20 is unsafe, unsound, and not compliant with planning law. (I think I may have submitted this under the wrong email address - didnt realise an email address was already logged in thanks

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exam_20 from the local plan

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: No cooperation so far with residents / relevant groups such as RSPB, Natural England, parish councils etc

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: HELAA STAGE NOT COMPLIANT

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REVISIT ALL SITES AND CORRECTLY ASSESS THE EXMOUTH SITES WITH ALL THE KNOWLEDGE

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Why Exmo_20 shouldn't be in the plan It failed from the start: Exmo_20 failed the 2022 HELAA assessment, which means it should have been rejected straight away. Because of that failure, it should never have been considered for development at all. The site was recreated after it failed: After Exmo_20 failed, two new sites (Exmo_20a and Exmo_20b) were created in November 2022 to get around that failure. ***** approved Exmo_20a even though officers advised against it, then later merged both sites back together and called it Exmo_20 again. ***** were shown misleading maps: The maps used to support the decision included land that isn't available, homes that already exist, and even a church with a graveyard. This made the site look much bigger and more suitable than it

really is. Important environmental protections were left out: The site's protected environmental designations (SAC/SPA) weren't shown, and its closeness to Budleigh Salterton was ignored, even though both are highly relevant. Rules to protect nature were broken: The site was chosen before the legally required Appropriate Assessment was completed in January 2025. The Habitat Regulations Assessment even says there is an "inherent conflict" with protected habitats, and that conflict still hasn't been resolved. This goes against the "People over Wind" legal ruling. False claims were made in official documents: The Regulation 19 Sustainability Appraisal wrongly said Exmo_20 passed the HELAA, which isn't true. The rules were changed after the fact: A May 2022 Site Selection Methodology clearly ruled out sites like Exmo_20 that failed HELAA. That document was later removed and replaced in December 2024 with a new version that suddenly allowed failed sites to be allocated. Evidence was changed during consultation: Key evidence documents were altered while the public consultation was still ongoing. On top of that, the plan already includes more housing than the district actually needs, which weakens any argument that this site is "necessary." High legal and planning risk: Because of all these procedural mistakes, misleading information, and legal problems, allocating Exmo_20 is unsafe, unsound, and not compliant with planning law.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO COOPERATION WITH RESIDENTS OR BODIES SUCH AS NATURAL ENGLAND / PARISH COUNCILS ETC

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: GIVEN IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

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

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 16(d); the Plan is therefore unsound and not legally compliant. Housing over-supply: The Plan uses outdated ONS data (Feb 2025) rather than the latest 2024 ONS figures, resulting in an inflated housing figure (1,188 vs 1,156; 22-year requirement 20,342). Over-allocation undermines any overriding need justification for development, including Exmo_20. Mitigation hierarchy implications: Incorrect housing figures remove justification for multiple mitigation strategies required to protect Pebblebed Heath SPA/SAC/SSSI; Exmo_20 should be removed. Evidence errors: Numerical and mathematical errors in HOU-002 (Oct 2025) and HOU-001 (Nov 2025) compromise the Plan's housing policy foundation and require correction and reconsultation. Clarity and unambiguity: NPPF

16(d) requires plans to be clear so decision-makers understand how to respond to development proposals; current errors and inconsistencies violate this principle.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMMENTS IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

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

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 109, Local Plan policy TR01, and paragraph 11.6; allocation is therefore unsound. Access and distance: Primary vehicular access is 2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth, highlighting reliance on private vehicles. Settlement hierarchy: Allocation would overwhelm Budleigh Salterton and conflicts with the Local Plan settlement hierarchy. Local planning oversight: Budleigh Salterton's capacity and impacts were not adequately considered by the LPA in assessing the site. Sustainable transport limitations: Local topography and site location make cycling and walking impractical, contrary to sustainable transport policies, not evident on policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

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

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 32 and is therefore unsound. Retrospective SSM changes: The Local Planning Authority altered the Site Selection Methodology (SSM) after 11 Dec 2024, presenting a December 2024 version in the Regulation 19 evidence library that was not used for site selection, falsely claiming it was, with no record of the original May 2022 version. Nolan Principles risk: Retrospective alteration and misrepresentation of evidence may breach the Nolan Principles of public life. HELAA failure: The original May 2022 SSM disqualified Exmo_20, as it failed the HELAA stage for suitability and achievability, including sites within 400m of Pebblebed Heaths SAC. Procedural unsoundness: Exmo_20 was

included despite clearly failing Stage 2 site sifting criteria, undermining transparency and proper plan-making.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PAST SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

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

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 170b and Local Plan paragraph 3.6 and policy AR01(b); allocation is therefore unsound. Flood risk: Strategic Flood Risk Assessment (Level 1) only mentions Withycombe Brook in a footnote; Exmouth has multiple historic flood pathways (1960, 1983, 2012). Site vulnerability: Exmo_20 is greenfield land above the town, with tributaries and surface water runoff flowing directly into Withycombe Brook, which passes through densely populated wards. Procedural failure: The Local Planning Authority has not applied the required sequential, risk-based approach to site selection to avoid flood risk to people and property, contrary to national policy. Climate change impact: Flood risk assessment

does not account for current or future climate change effects, increasing the potential hazard to residents.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMMENT IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE / REVISIT EXMO_20

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

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

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191; also conflicts with Local Plan policies PB01–PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24. Allocation is therefore unsound.

Strategic Nature Area: Exmo_20 lies within SNA 368, an important buffer between Exmouth and the internationally and nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting Nightjar foraging (SPA qualifying species and Section 41 priority species) and a wildlife corridor to the coast. Conservation risk: Development would undermine conservation objectives of the SPA, fragment habitats including veteran trees, ancient woodlands, and hedgerows, and conflict with Devon County Council's upcoming Local Nature Recovery Area designation (March 2026) under the

Environment Act 2021. Expert ecological advice: Devon Wildlife Trust states the site contains nationally important habitats and species, and development would cause significant adverse effects on SAC integrity. SNAs should be enhanced, not allocated for housing. Legal and planning implication: Exmo_20 cannot be developed without harming internationally designated habitats; its allocation is therefore incompatible with NPPF and Local Plan policies and should be removed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMMENT IN PREVIOUS SUBMISSIONS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 206 and Local Plan policies HE02 and OL01(D); allocation is therefore unsound. Heritage impact: Development of this scale surrounding St John in the Wilderness Church (Grade II* listed) would cause significant harm to the church's setting, its churchyard, and the surrounding Medieval Saxon settlement. Landscape and character: The area is defined by remoteness, dark skies, and a 'wilderness' character, which would be irreversibly harmed even with a buffer zone. Historic England concerns: Exmo_20 covers land within the church's setting. A northern access road from the B3179 would further harm the setting and increase future development pressure. Mitigation / alternatives: Historic England recommends exploring alternative access from the south, adjusting the site

boundary, or restricting the scale and type of development to what can be justified in less sensitive areas.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSIONS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

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

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 92, 114b, 114d, 180e & 181, and Local Plan paragraph 3.6, policies TR01, OL09, PB04, and paragraph 11.2; it is therefore unsound and not legally compliant. No viable access: Primary access proposed via the B3179 would require major, uncertain, and uncosted highway works, not confirmed by Devon County Council. Cumulative impacts: Traffic along the B3179 would increase congestion and air pollution, affecting the Pebblebed Heaths SAC/SPA. HRA concerns: The Habitats Regulations Assessment (18.11.25) confirms “currently not sufficient certainty to rule out adverse effects in integrity...air quality” for the Pebblebed Heaths. Precautionary approach & mitigation hierarchy: Allocation contradicts the required precautionary approach and the Environment Act

2021's mitigation hierarchy (avoidance over mitigation). Legal risk: The Mitigation Strategy confirms "mitigation cannot be assumed without evidence" (People over Wind; Sweetman). Inclusion of Exmo_20 is therefore unlawful, as no reasonable scientific certainty exists to support mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

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

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSIONS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 181, 185, 186b & 188; also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04, OL02. The allocation is therefore unsound and not legally compliant. Habitat and species risk: The site borders Pebblebed Heaths SAC/SPA/SSSI. Providing SANGS of sufficient quality and convenient location is unlikely to prevent residents from using the Heaths for dog walking, cycling, and other recreation, causing harm to protected habitats and species. Nightjar predation risk: Research shows “just one event leading to predation is enough to end a nesting attempt” (Langston et al., 2007). Without evidence mitigating this risk, the LPA must apply the precautionary principle. RSPB concerns: Mitigation for sites near the Heaths,

especially Exmo_20, is unlikely to be effective. Risks include: Loss of foraging habitat
Land-use change from farmland to public open space Increased cat predation on
ground-nesting birds Increased recreational pressures (dogs off leads, cycling, walking)
Insufficient SANG provision: RSPB note a high risk that proposed SANGs and public
open space will not prevent damaging levels of recreation from new residents. Proximity
to Heaths: Policy SD01 prevents development within 400m of the Pebblebed Heaths,
but there is no way to prevent human or cat access. Risk increases the closer dwellings
are built to the Heaths.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL PROCEDURE FOLLOWED

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMENTED IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM PLAN

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 73b (footnotes 7 & 38), 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c; also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04, OL02. It is therefore unsound and not legally compliant. Insufficient buffer: A minimum 400m buffer from Pebblebed Heaths SAC/SPA/SSSI is proposed, but scientific evidence shows cats can roam over 2km and even a single predation event can destroy a Nightjar nesting attempt. Current mitigation is therefore inadequate and inconsistent with precautionary principles. Reliance on untested mitigation: Exmo_20's inclusion depends on a mitigation strategy and HRA that do not yet exist. Without these, a precautionary approach requires removing at least the 400m of land adjacent to the Heaths. Significance of the site:

Exmo_20 contains functionally linked foraging habitat for Nightjar (SPA qualifying species and Section 41 priority species). Recreational pressures (dogs off-leads, cycling, walking) are not assessed at site level. Professional ecological concern: Multiple bodies (DWT, RSPB, East Devon National Landscape Partnership) state a 400m buffer is insufficient, recommending significant reassessment of scale, housing numbers, and boundaries, with development concentrated closer to existing settlements. Mitigation hierarchy and alternative sites: Allocation is hard to justify given multiple viable, less mitigation-reliant sites exist and housing numbers are over-allocated due to use of outdated ONS data. Natural England recommendation: Policy is unclear on employment uses and buffer provision. NE recommends a natural buffer along the B3179, pulling settlement boundaries away from the SAC/SPA, and securing green space via S106 agreements to meet sound planning requirements.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL & PROCEDURAL PROCESS

Full name: Robin Batson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Failed HELAA assessment: Exmo_20 did not pass the initial 2022 HELAA, automatically failing site sifting; it should never have been considered for allocation. Post hoc site creation: Exmo_20a and Exmo_20b were created in November 2022 to circumvent the HELAA result; councillors allocated Exmo_20a against officer advice and merged it with Exmo_20b to form Exmo_20. Misleading information: Site maps presented to councillors included unavailable land, existing houses, and a church with graveyard, exaggerating site size and availability. Omission of environmental designations: SAC/SPA designations were not shown; site's proximity to Budleigh Salterton ignored. Breaches "People over Wind" ruling: Site was selected before the Appropriate Assessment (Jan 2025), despite HRA noting an "inherent conflict" with protected habitats, which remains unresolved. False statements in evidence: Regulation 19 Sustainability Appraisal incorrectly claimed Exmo_20 passed HELAA. Post hoc methodology: May 2022 Site Selection Methodology (disqualifying Exmo_20) removed; replaced with December 2024 version allowing failed sites to be allocated. Mid-consultation evidence changes & housing over-allocation: Evidence documents were altered during consultation; total housing exceeds district requirement, undermining any "overriding need" justification. Legal and soundness risk: Procedural, factual, and legal irregularities render Exmo_20's allocation unsound and non-compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally

compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

remove exam_20 from local plan

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

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

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 73b (footnotes 7 & 38), 180d, 180e, 181, 185a, 186b, 188 & 191c, and Local Plan paragraph 3.6, policies PB01–PB04 and OL02; therefore it is unsound and not legally compliant. Habitat mitigation uncertainty: The site is adjacent to Pebblebed Heaths SAC/SPA/SSSI, and mitigation for habitats and species has not been shown as achievable or viable. Plan HRA states “there is inherent conflict” and no means yet exist to mitigate the risks. Procedural breach – “People over Wind”: Exmo_20 was allocated on 3 Sept 2024, approved in the Regulation 19 draft on 11 Dec 2024, before the Appropriate Assessment in the 30 Jan 2025 HRA, contrary to the CJEU “People over Wind” and precautionary approach requirements, also relevant to the “Dutch N” ruling. Failure to apply Mitigation Hierarchy: NPPF paragraph 32 requires allocations with known mitigation needs to be justified against the hierarchy. LPA has not undertaken this assessment; other viable, less mitigation-reliant sites existed. Housing over-supply: The plan uses outdated ONS data, leading to over-allocation and undermining any “overriding need” justification for Exmo_20. Ecological impacts: Devon Wildlife Trust notes the site acts as an ecological buffer; development would degrade and reduce supportive habitats outside designated boundaries. Competent Authority failings: The LPA has shown widespread failures in its duties under the Conservation of Habitats and Species Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from the local plan

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

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

Full name: Dr P. Bayer

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to object to policy Exmo_20, housing allocation on Woodbury Common near the archery club.

I live in Topsham and regularly visit neighbouring areas to the proposed allocation such as Bystock Nature Reserve and adjacent areas which have exceptional quality for wildlife, peace and quiet and the feeling that one is far away from urban life and able to commune with nature. This is magical, rare and should be protected. Even with a buffer zone on to the proposed new housing, the large number of new car journeys will be heard, the smell will be different. The countryside will be urbanised.

As there will be no jobs with the housing, this proposal will drive a large number of new car journeys daily through Woodbury Common and probably into Exeter, adding to the already overloaded roads. If each house has 2 cars (some may have more) that will be 1,400 x 2 journeys per day = 2,800 new car journeys.

I imagine there will be negative impacts on access to services such as GPs and dentists in Budleigh, Exmouth, Woodbury and Topsham. It is already very very difficult to see a doctor at the GPs in Topsham as a result of new housing.

Is it not possible to build flats - rather than houses - at high densities on another site to increase the housing figures to meet your targets? There are too many detached executive style houses being built around Exeter as it is.

There is little benefit to communities left in planning if it cannot protect exceptional landscapes such as this. It has become simply a regulator for the private sector to do what it wants. *** Personal details have been removed ***, where are you when we need you?

Full name: Elise Belsher

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to object to the proposed development at Exmo-17 for the following reasons:

1. Large housing estates should not be built on National Landscape - this is an area of outstanding natural beauty and as such everything possible should be done to protect it

2. Building on land outside the national landscape would be cheaper therefore making it possible to build more affordable homes which is what the area needs.

3. The exit from this proposed site will cause chaos being so close to the Liverton park junction and Capel Lane which are both already busy

4. The access road for the site cuts across the very busy and much used cycle path therefore endangering its many users - children, elderly, cyclists, families etc The road / development would also necessitate the felling of a number of mature trees

5. The National Planning Policy Framework is clear that planning decisions should contribute to and enhance the natural and local environment, including by protecting and enhancing valued landscapes. National Landscapes are afforded the highest status of protection in relation to landscape and scenic beauty, reflecting their importance under long established legislation. In practice, permission for development in or affecting these areas can only be granted by the local planning authority, a national park authority where relevant, or the Planning Inspectorate acting on behalf of the Secretary of State, and only in exceptional circumstances. I do not believe the need to develop this area is an exceptional circumstance when other sites in East Devon are available.

6. The local sewage system is already unable to cope with the needs of current houses. Additional houses built on this site will cause further pollution issues.

7. There is no reason to build the proposed industrial buildings on this land. Logically they should be built on the trading estate opposite or Exmo-18, both of which have the same landowner

Full name: Lynda A Benson

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Malcolm Bentich

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I feel I must write to you concerning the ridiculous proposal for Exmo_20. I know the Government keep telling us we need more housing and they have to be built somewhere but surely not on an Area of Outstanding Natural Beauty; we already have Cranbrook and lots more huge building sites around Exeter, when the sea is full of sewerage, the roads are full of potholes and congested, the hospitals can't cope, the police can't cope. Do we need more concrete? - so more flooding not to mention the wildlife and precious open space. I hate to think what this area is going to be like in a couple of years and once it's done there is no going back!

Full name: Jan Billington

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically

supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL

ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of EXMO-20 by 50% and have entrance/exit at the bottom of the site where it doesn't affect the Pebble Heath nor the already dangerous B3179.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Stuart Billington

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Exmo_20’s allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site’s and the local area’s topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between

plan- makers and communities...local organisations and statutory consultees. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Remove Exmo-20 from the local plan. made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Melanie Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Dear Sir/Madam,

Please find below my objections related to the EXMO_20 plan. Please ensure that my objections are included as part of the regulation 19 local plan consultation.

Kind regards,

*** Personal details have been removed ***

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other

units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging

habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke,

R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.”

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which

must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a

Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development.

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Objection 9 Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography

makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Full name: Blain Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I would like to express my objection to the EXMO_20 plan for the following reasons.

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply

of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the

new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s

allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to express my objection to the EXMO_20 plan for the following reasons.

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24

(without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as

dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

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R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.”

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(EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

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Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the

Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development.

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20’s B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the

southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Objection 9 Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

I object to this development for environmental, heritage & due to the poor infrastructure it provides.

Kind regards

*** Personal details have been removed ***

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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Full name: Judith Anne Bishop

Proposal:

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Full name: Judith Anne Bishop

Proposal:

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9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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

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Full name: Judith Anne Bishop

Proposal:

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Exmo_20

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8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Exmo_20

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

7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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

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

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

6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Judith Anne Bishop

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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

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5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Judith Anne Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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

Full name: Judith Anne Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

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

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

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9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

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

1(c). If the comment is related to a site, please state the site reference here.:
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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

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

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Gary Ronald Bishop

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement

hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that

Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective

with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

SUGGESTED OBJECTIONS TO EXMO_20 (V.7) 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development

within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced

housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed

development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its

churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses

in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site

allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to

accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be

permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017. Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Paul Blackmore

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like my strong objection to the above, proposed development to be noted; for the following reasons;

(1) Large housing estates should not be built on National Landscape. (2) that building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. (3) that the exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users. (children/elderly/cyclists/families/dogs).

I would also like to add a further reason for my objection;

Clinton Devon ended the lease to Woodlands farm, of fields around Quentance farm, some 84 acres. There's a rumour that Clinton Devon is selling this land to Bloor Homes. If this is true, it indicates that Clinton and Bloor are confident that EDDC will allow them to build on another large tranche of protected National Landscape. This is the domino-effect that could happen if Bloor Homes are allowed to build a big estate on Exmo_17. This land is too precious to present and future generations for it to be destroyed.

Full name: Lesley Blackmore

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like my strong objection to the above, proposed development to be noted; for the following reasons;

(1) Large housing estates should not be built on National Landscape. (2) that building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. (3) that the exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users. (children/elderly/cyclists/families/dogs).

I would also like to add a further reason for my objection;

Clinton Devon ended the lease to Woodlands farm, of fields around Quentance farm, some 84 acres. There's a rumour that Clinton Devon is selling this land to Bloor Homes. If this is true, it indicates that Clinton and Bloor are confident that EDDC will allow them to build on another large tranche of protected National Landscape. This is the domino-effect that could happen if Bloor Homes are allowed to build a big estate on Exmo_17. This land is too precious to present and future generations for it to be destroyed.

Full name: Kate Boakye

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitat and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocation against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site

boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would see precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed, as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significant greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape. As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduce housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed

Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPP December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6 policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. Clarke, R.T. (2007) 'What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*?' *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01

explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph

20).... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development an associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified. 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 and 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It als conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathway with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook

currently has significant flood risk are without yet considering current and future impacts from climate change. The greenfield Exmo_2 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking and cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, use for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below: criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Pla The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local

area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significan adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigatio measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are o can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes.

Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife- rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, in which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscape and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is

no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impact. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017. Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choice. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Chris Boorman

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I believe that this plan is wrong and should be stopped for the following reasons: 1. The infrastructure to support such a development simply does not exist in this part of Devon - our roads are too small for the 1,400 additional cars (estimated as two cars per household); We do not have enough Doctors and schools for the 2,800 additional humans (estimated at 2 adults and 2 children average per house); South West Water have no capability to support the existing community - let alone the additional 700 homes being built. 2. It is in conflict with many parts of NPPF and the local plan. Specifically, the allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. 3. It will negatively impact the Pebblebed Heaths - being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing

allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please REMOVE Exmo_20 entirely from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Lisa Boorman

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

wish to object to this part of the new local plan. I believe it should be stopped for the following reasons: 1. We do not have sufficient infrastructure to support the creation of 700 new homes at this location - our roads are small and will not support the additional 1,400 cars (averaging two per home); We do not have enough doctors and schools to support the additional 2,800+ people (averaging 2 adults and 2 children per home); South West Water do not have the capability to support the additional 700 homes (they are failing to support the existing housing stock here already). NO-ONE IS

GUARANTEEING THESE CAPABILITIES AHEAD OF THE PROPOSED DEVELOPMENT. 2.

These plans will negatively impact the Pebbled Heaths. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. Rare birds / bats and other animals will be impacted by this - with no agreed mitigation plan.

3. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and un-costed highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. 4. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing

development encircling it. 5. I also understand that Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b,

188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Richard Boud

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Dr Jo Bowen

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: There are a number of points I want to make about this scheme which will be hugely detrimental and contravenes a swathe of policies set up to protect existent transport, well being of those in the locale and the environment of the commons. I cannot think of a worse place to develop into housing. 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as

is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National

Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI, it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated

heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on the B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC

ENGLAND state in their response to the 1st Regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to 1st Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the

NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts

with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN THE SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the

protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the

significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 EDDC Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The only modification is a complete removal of Exm - 20 from the plan and quota system . It is highly detrimental and non compliant in toto.

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have outlined this above.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove thr scheme in toto . No modification is sufficient. As above .

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: As above

Full name: Dr Jo Bowen

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I grew up in Exmouth and have watched my home town grow into an unrecognisable sprawl . There are very few green and historic areas left now, and Exmo_04 is a prime example of such a space, existing against the odds. it is a highly precious ecological space to sustain the local wildlife and habitation growing there and tended for more than 200 years. Please respect them as last vestiges of eco diversity, a home for rare species, and an important part of Exmouth's character and history. I implore you to take this unique area out of the plan , which will save it from being unjustly wrecked for ever. It is completely irreplaceable.

Full name: Dr Jo Bowen

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Dear planning officer and EDD councillors,

I wish to object in the strongest possible terms to your current plan for Exmo_20 . I have lived in this area since 1966 , worked here, and seen housing exponentially encroach on our precious green fields, with key access roads becoming almost impossible to use at peak times due to increased urbanisation. We are now at a critical time to either preserve the health of our countryside and seaside way of life , it's iconic beauty and health , and our tourist industry, or see it sunk under a vast housing estate , which will kill off so very much. In particular , the Exmo _20 plan is patently disastrous. It must be halted and I implore you to lead on this , contrary to any quota imposed by central government. No justification on a projected balance of cost / benefit is logical. If you have nowhere else to put houses then it is even more important you do not spoil what we do have -where is there any net gain in that? You give houses to some and take away a living from others.

Here are my further in depth comments for which I have evidence and experience.

1. The site is almost adjacent to Pebblebed Heaths (aka our much beloved Woodbury common) and 2.3 miles from my town, Budleigh Salterton. Huge impact is inevitable on

us, and our traditional green farm scape. Pebblebed Heathland is deservedly an internationally double protected environment , much pressurised by urban life especially now, as Exeter is much expanded and yet another close-by town is on its way, namely Marcombe . A proposed 400 m buffer (the main mitigation suggested by the proposers) is way too small to mitigate any wildlife harm . Now and for the future . The urban, air and human pollution damage will be irrevocable .

It would be a devastating loss hereabouts and nationally since it is a gem of our county and region and no heathland area in the world is any more protected environmentally than this.

2. My second biggest cause for objection is the likelihood of actually cutting off the town of Budleigh S and its river Otter area , which the tax payer has recently helped to develop via LORP. I suspect ambulances will often struggle to get in and out at peak times as the roads have v limited capacity . Roads will therefore be at standstill . One exit road goes through a vulnerable historic conservation area of the town . It is regularly at a stand still even now. I say this as a medical doctor with experience of such ambulance / fire service threat and trauma.

Thank you for listening to the concerns of myself, and the whole town and indeed , the wider Pebblebed concerned charities . Please don't forget our responsibility to those who deserve a place to enjoy visiting away from urban stress feeding our tourist economy and lives already embedded here - the unspoilt town and its remarkable green setting .

We need you to act with courage and evidence- based conviction on this. Heavy hearts of councillors (as spoken of at the last meeting when, to my great horror, so many voted in favour) must be turned into resolve to draw lines away from community disaster.

Yours faithfully , *** Personal details have been removed ***

Full name: Dr Jo Bowen

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: There are raft of policies that this plan transgresses on. please refer to the charities comments which include the RSPB the Devon wildlife trust and the CPRE. i am completely aghast that you could possibly consider any justification sufficinet for destroying much of our town, our livelihood and the Heaths. they are internationall protected . Visitors to the town will be ectremely compromised also. we are likely to face grid lock and roads are already a highly sensitive matter . They pass through conservation area and historic areas germain to our economy and town's livelihood and living spaces. no joined up thinking seems to have occured as regards the likely pressure on roads at standstill by the river (the only other exit from the town to Exeter) , the associated tax payers interest in the health and accessibility of LORP, the new eco tourism pressures and Marlcombe knock on effect we and the Pebblebed Heath face , as well as the other infrastructure issues this plan will grossly excacerbate.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: as above, nil. no mitigation is relevant . all should be axed.

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: no as above

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

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: it is extremely un user friendly for any without time, cognitive bandwidth or rigorous mental health to use.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: i want to check ***** and process are held to account , as an observer

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant

detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off

leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Dr Robert Bowker and Mrs Dee Bowker

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Objection to Exmouth-17

We both wish to object strongly as we believe the following:-

1 Large housing estates should not be built on National Landscapes.

2 If housing was built outside the area of N Landscapes it would be cheaper and the result is that a higher percentage of suitable houses could be provided.

3 I believe the exit from the proposed Exmouth 17 site would cause chaos and endanger life, plus create chaos due to crossing the busy and well used cycle path etc. Dog walkers, elderly people and children in particular.

4 The current infrastructure does not cope at all with what it has to deal with, in particular the SWW sewerage system which currently fails too regularly in Exmouth and Budleigh Salterton, dumping sewerage regularly into our seas plus leaching into our brooks and rivers. How can you possibly allow any more building in this area until SWW put this right.

Full name: Dr Robert Bowker and Mrs Dee Bowker

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Our objections to Exmo_20 are as follows:

To build these proposed 13000 new homes you will be destroying beautiful and peaceful heritage countryside within the National Landscape, with exquisite nearby common land to include the pebble bed area.

The proposed site is going to cause danger and chaos on the unsuitable road where entry and exit will be sited. Already it's a dangerous road to commute or drive on and cannot cope with further traffic on the road to get to Exeter, Exmouth or Budleigh Salterton. There are already frequent accidents and near misses on this road due to congestion, the fact it is a rural road and people getting impatient and overtaking dangerously, plus the frequent use of the road by heavy commercial vehicles etc.

In addition to the road congestion problems where grid lock is currently frequent NOW when trying to commute, even more serious in our estimation is the lack of a capable and sufficiently fit for purpose sewerage system. This system as I'm sure planners already are aware of is already SERIOUSLY failing, with sewerage regularly being discharged by SWW into our sea around Exmouth, Sandy Bay and Budleigh Salterton, with additional breaches into local rivers and brooks due to leaks and pumping station failures. The plans SWW have to remedy these serious problems will be years away from

preventing the disgraceful and unsafe seas we often cannot swim in due to high levels of E. coli etc. Putting further pressure on this weak and failing system by building housing here, with an already unfit sewerage infrastructure would be appalling, when the problem is already known and proven.

Finally, the proposed housing will only provide 4000 homes for social housing rather than what is actually needed for the 6000 people East Devon on the list currently.

This is not the correct place to be building for many reasons, the main ones we have listed above and we wish to object strongly against this proposed development.

Full name: George Boyd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to protest at the proposals put forward in EXMO-20 which will not only prevent access to our home but will spoil the environment for all the wildlife that our area is blessed with and if this is lost we will never be able to recover it.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: PLEASE DON'T LET IT HAPPEN.

Full name: Claire Branfield

Other party name (if relevant): John Branfield

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 1)

The infrastructure of Budleigh Salterton is not able to cope with such an increase in population, and would lead to Budleigh & Exmouth losing their separate identities 2) an alternative site should be selected, which would be more suitable, and not overwhelm Budleigh Salterton 3) the site is too close to the Pebblebed Heaths, a site of scientific importance 4) the Grade II listed St John's Church and burial ground would be significantly impacted by such a large housing development. 5) this plan would have a detrimental effect on the surrounding designated wildlife sites, and have a very bad effect on all the native species, isolate habitats, trees and hedgerows; an irreplaceable habitat which, once lost, is gone forever? 6) the ability of the water drainage system in this area is cope is very dubious, and can only lead to more flooding in the area 7) more traffic in a location already unable to cope! Exmouth, and soon Budleigh, are almost "no go" areas already; traffic queues, lack of parking and ghastly amounts of traffic are unacceptable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this plan from the Local Plan, or reduce very significantly, with different access, , not B 3179 or Southern Wood

Full name: Jonathan Breeds

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

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

Objections to building on Exmo_17 (National Landscape):

Chapter 8: Housing Needs: The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted? The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area. Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Chapter 11: Sustainable Transport: The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit. A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to catch a bus plus a train.

Chapter 12: Landscape: Exmo_17 had two protections until EDDC, without any justification, recently removed its Coastal Preservation area status, despite hundreds of

objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments. EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***), has confirmed this in a letter to our MP, (***) Personal details have been removed (***), of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it. There is no reason to build the proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner. The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape. The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

Chapter 15: Historic Environment: The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also an old farmhouse on the perimeter (age?). These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast.

Full name: Ann Briggs

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The impact of 700 houses has not been considered sufficiently; there seems to be little thought regarding the infrastructure requirements to support this development.

The main issue is access using the existing B3179 which has dangerous hidden intersections (Western Ting Tong, Dalditch Lane, St John's Road). The B3179 is the main route from Budleigh Salterton through Woodbury to Exeter and the M5. The road is lined with mature trees on both sides and cannot be widened without destroying the associated wildlife. The plan states that there will be little use of cars because of the footpaths and cycle paths to be built, but this is ridiculous because the entrance opposite the Exmouth Archery Club is around 400 feet above sea level and only a few people may walk or cycle to the centre of Exmouth or Budleigh Salterton.

The integration of the traffic requirements including Budleigh Salterton, Woodbury and Clyst St George should be studied or is not evident in the planning documents. The connection with the A376 at Clyst St George in particular, is a frequent bottleneck.

Apart from access to the site the other impacts are: Rare wildlife on the adjacent and protected pebble heath, the destruction of woodland and hedgerows, the loss of valuable farmland, the need to consider the capacity of schools and doctors' surgeries and the already overloaded sewage treatment plants.

Full name: Ann Briggs

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

access to the site via the B3179 is not safe. an integrated traffic plan accounting for other developments (Budleigh Salterton, Woodbury, Exmouth) needs to be done. The connections of Western Ting Tong, Dalditch Lane and St Johns are hidden and dangerous increasing the traffic will result in serious accidents. The B3179 is lined with mature trees which will restrict any works to improve traffic flow. The development will have a large impact both on wildlife and the environment with removal of woodland and hedgerows on the Exmo_20 site as well as the protected pebble heath Dakditch Common to the north side of the B3179. See enclosed image

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not make the exit onto the B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Carol Brooks

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Big objection to the building of 410 houses on fields opposite McDonald's on Salterton Road Exmouth.

I did attend an open meeting at Bidmead a few months ago and asked a representative as to what he called affordable -£250,000 ??and he just walked away! Also, because it will go over the cycle path a lady representative said a bridge would most likely be built similar to one on their site in Exeter.

Bloor homes have a very poor reputation of just throwing up houses and do we need more houses as the ones being built on Dinan Way are still empty!

I will be really upset if it is given the go ahead - all those lovely fields, wildlife and views Gone!!! And still no affordable houses for local people.

Let's hope common sense will kick in.

Full name: Alison Brown

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Dear Sir, I am writing to ask that you reconsider the plans to build on this beautiful site. I don't really have to point out that it is an area of beauty and our wildlife in the area needs all the protection it needs. Regards, *** Personal details have been removed ***

Full name: Stephen Brown

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing with respect to the proposed development of 410 homes and associated areas at the Littleham, Exmouth site and wish to record my objection to the plans.

1. The proposed development is within an existing area of the National Landscape and protected countryside (formerly an area of outstanding natural beauty).

2. The creation of these proposed homes will lead to a loss of the national landscape and greatly affect the enjoyment of existing residents and visitors to the area.

3. The water run off from the housing will inevitably cause flooding of the Littleham village area during heavy rain (as has occurred during 2025)

4. Sewage infrastructure is already struggling to cope with present demands leading to sewage pollution into the sea at Exmouth. This was significantly worse during 2025 and confidence in South West Water in improving the situation is very low.

5. Existing infrastructure in the Exmouth area is presently stretched and the addition of further homes in an already high populated area will only exacerbate the situation.

6. The provision of over 400 homes will negatively affect the landscape, biodiversity and tranquility of the existing National Landscape.

7. The national cycling network / footpath which is heavily used by residents will be severely impacted by an access road built to access the new development. This will inevitably lead to accidents and near misses when pedestrians and cyclists are in close proximity with vehicles.

I do hope that the planners, developers and land owners are able to take these valid points into consideration during the consultation process.

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

Full name: David Brunwin

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

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

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

Full name: David Brunwin

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Hello, I am sending you a email Direct as I have struggled to register my objections to the above development using your website. Probably the main objection is the overall lack of infrastructure in the area to support such a large number of houses In particular sewage disposal and road capacity. *** Personal details have been removed ***

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan for reasons stated in 3(b)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km of on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should be removed from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should be removed from the local plan for reasons outlined in 3(b)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling and walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan for the reasons given in 3(b)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should be removed from the local plan for the reason stated in 3(b)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo-20 from the local plan for the reason stated in 3(b)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnotes 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02, of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling and walking, which is also yet to be assessed at a site level and therefore

a precautionary approach must be applied at a strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan for reasons stated in 3(b)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnotes 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02, of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a careless attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should be removed from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: C G Bundy

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: SAVE EXMOUTH'S FORGOTTEN PARKLAND. 04 on Local Plan. Exmouth has, as usual, been designated for majority of housing, 700 at St John's, 450 at Littleham and more being added to DinanWay!!! Exmouth 04 is small parcel of land off Higher Marley Road, EDDC know this land is sensitive and allowed for 50 houses)developer wants 130). This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet you, EDDC have put this forward. As well as parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. Myself partner and her family object about planning second ref 19 consultation. Exmouth 04.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised

wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_04

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

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

SAVE EXMOUTH'S FORGOTTEN PARKLAND. 04 on Local Plan. Exmouth has, as usual, been designated for majority of housing, 700 at St John's, 450 at Littleham and more being added to DinanWay!!! Exmouth 04 is small parcel of land off Higher Marley Road, EDDC know this land is sensitive and allowed for 50 houses)developer wants 130). This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet you, EDDC have put this forward. As well as parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. Myself partner and her family object about planning second ref 19 consultation. Exmouth 04.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_04

Full name: Sally Burnell

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
reasons why this absolute monstrosity should not go ahead:

The extra pressure this is going to place on Budleigh and Exmouth in terms of: Schools GPs The roads Sewerage and drainage? The system can't cope now - as you well know!! 700 houses which will then no doubt become 1000+++ 700 houses = the likelihood of another AT LEAST 1000 extra cars coming and going on a daily basis! (I pity the cars that have to go in the Sidmouth direction because the road surface is simply appalling and extremely narrow. In the other direction, no doubt Woodbury will bear the brunt!! Employment? Who is going to live there?? The devastation of wildlife and natural environment. I believe it encroaches on pebblebed heath land! Flooding further into Exmouth, due to land above it being concreted over!! This is NOT the place for such a huge development!!

Full name: Sally Burnell

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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

Apart from the obvious objections such as lack of infrastructure - sewers, schools, doctors, pharmacies, employment etc., this development is going to have a huge impact on Budleigh Salterton because it would be so close to it! Already in the summer months the access roads to Budleigh or Sidmouth due to the sheer volume of the traffic and huge numbers of people could spoil the unspoilt charm and attraction of Budleigh. We all know what happens when roads or developments take place - not longer afterwards, more will follow! I'm just wondering how long it will be before development will begin around the new link road off Dina's I believe the proposed site is close to pebblebed heaths, which are of special scientific value. What about the wildlife? And who is going to live there? I was told that the new town proposed near Exeter airport is accepting a large percentage of occupants from large cities. Will this have an impact on the demographic of Devon should a similar percentage in this development to satisfy this and the last government's loss of control on immigration. Also, we all know what happens once development begins - it leads to further development!! Take the development outside Budleigh on the E. Budleigh Road, which is being gradually extending! I'm sure once the link Road off Dinan Way is completed, development will follow shortly after!! We need to be protecting our farmland and green spaces.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Put Exmo_20 somewhere else

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant

detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off

leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Edmund Cairns

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I believe that Exmo_20's allocation would overwhelm Budleigh Salterton's services and facilities in particular, and generate an unacceptable increase in traffic to/from both Budleigh Salterton and Exmouth to the significant detriment of both communities. As I understand it, the proposed access onto the B3179 would need major work which has not been properly costed and planned. But even with that work, the allocation would lead to unacceptable congestion on already busy roads and to air pollution. As I also understand, a host of expert organisations - the Devon Wildlife Trust, RSPB, Natural England and Historic England - have warned of unacceptable environmental and other impacts, and some have raised the possibility of reducing the scale and changing the boundary of the site to reduce some of them. But the key point is that the whole allocation is unsound because of its PROXIMITY to vital habitats, and at least as importantly its ISOLATION from existing communities and existing roads (and rail) that could cope with increased traffic.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Basically, remove Exmo_20 from the Local Plan. Substantially reducing its size, and avoiding access from the B3179 might mitigate the damaging impacts. But that doesn't get away from the key point that this allocation is too isolated from existing services and transport infrastructure that could cope.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Christine Jennifer Calvert

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Patrick Camp

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The transport infrastructure is inadequate to handle the extra demand. The additional time and congestion will deter tourists and shoppers from visiting Budleigh Salterton, leading to a negative impact on commercial enterprises in Budleigh Salterton. The town is already struggling commercially, and this Development will make things worse, particularly during the construction phase when access to Budleigh Salterton by residents and visitors alike will be construction traffic.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Avoid using the B3179 to access the Development, including during construction.

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The negative impact to Budleigh Salterton has not been addressed simply because of the pattern of the town boundaries.

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

Full name: Patrick Camp

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The road system from Clyst St George through to Budleigh Salterton is far too restrictive to handle further traffic. It already has queueing at the dangerous junction of the B3179 and B3180 and delays and accidents will increase exponentially with additional traffic. The proposed development will lead to accidents with consequent injury to people and financial impact.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The roads and junctions on the B3179 and B3180 must be improved to handle traffic flows safely and smoothly, or... Have no access to the site from the B3179

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan fails to address the impact to travelling to and from Budleigh Salterton and the M5. This includes additional congestion, travel time, pollution and, especially, road traffic incidents and accidents.

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

Full name: Harriet Cann

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I write to object to the proposal of development Exmo_20. Firstly I would like to say how objecting is not an easy process -trying to find the relevant information on EDDC planning website is a nightmare & it is only through internet searches that I have found this email to send my objection to. The grounds I object on are; Sewerage issues - currently not adequately investigated or resolved for the existing local houses served. Environmental impact, negative irreversible damage to wildlife & their habitat, destruction of mature trees, loss of fields, which act as natural drainage & habitat for wildlife. Infrastructure is already overloaded. Roads are dangerous & congested, Dr's dentists, schools are already at maximum capacity. The area is AONB & should be protected as such! There are alternatives - redevelop old buildings that are not utilised, reduce second home ownership, look for sites not destroying natural green spaces - none of these have been explored.

Full name: Alison Cann

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the proposed 700 house development on the grounds of ; Sewage issues Wildlife habitat destruction Dangerous roads already congested It's an AONB Schools, shops doctors dentists already struggling to provide All this proposed development is a disgrace, local people do not wish natural environment to be destroyed because higher government set ridiculous targets.

Full name: Joanna Cant

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We volunteer with CDE on the Pebblebed heaths and we feel it is bvery important to maintain these precious facilities. Building so many houses in such close proximity seems really shortsighted. Not only formthe point of view of the construction vehicles but also once finished the amount of increased traffic will be enormous.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We do need more housing in the area but it needs to be affordable and it needs to have to required infrastructure including schools , shops and adequate sewage systems to cope with so many more houses.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Elizabeth Capel

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

would like to object to the building of 700 homes nr St John in the Wilderness Exmouth..... between Budleigh Salterton and Exmouth. my objections are as follows;

- Damage to the heathland (SSSI) and close to the Pebblebed heaths. This would result in loss of wildlife habitat and be detrimental to animal wellbeing. Surely we should be protecting our open spaces and their animals and plants. This area is protected heathland. We will loose wildlife and plant species. The Pebblebed Heaths are a very highly regarded conservation site. It contains thousands of rare species and rare habitats.
- Loss of good agricultural land resulting in increased foodmiles which is detrimental to the environment and higher prices
- Increase in flooding caused by water run off from large concreted areas...already issues with drainage in heavy rain
- Insufficient old sewage system that already struggles to cope in both Exmouth and Budleigh. More housing waste would cause more issues which will effect both Budleigh and Exmouth. We have already seen a dip in tourists and it makes the sea unswimmable in again directly affecting locals and tourists. The beautiful sandy beach at Exmouth and pebble beach at Budleigh will become no go areas again for swimming and pleasure for both tourists and locals. System cant cope at present so what hope in the future with this amount of housing.
- Narrow roads around B3179 will result in traffic congestion with increased number of large vehicles especially whilst building takes place. Rds not designed for so

many large vehicles and HGV lorries. This will have an impact on local people, tourists and the general ambiance of the area. Increased car numbers means increased accidents and journey times on rds not suited to this. A376 Exeter to Exmouth will become busier slowing journey times.

- The junction of B3179 and A376 will become a horrendous bottleneck of a junction....dangerous with increased vehicle numbers.
- There is insufficient infrastructure to support a development of this size. Poor roads ..poor road conditions ..poor access to main rd..lack of facilities eg. shop school etc
- Residents of new development would have to use Budleighs facilities or Exmouths. This would put a huge strain on Budleigh in particular...longer waits at Drs, dentists, more traffic in Budleighs narrow streets, less parking for Budleigh residents and tourists, r the Budleigh primary school i believe is already fairly full and again tlarge numbers of extra pupils could cause more traffic chaos in morning and pm pickup running the risk of car and pedestrian accidents. Budleigh does not have the facilities to cater for so many extra potential users from another 700 homes nearby.. Will ruin the town for existing residents and tourists
- Services will be further overstretched and traffic increased. This is unacceptable in the narrow streets of Budleigh where a lot of residents are retired and come to live in their retirement.
- I am concerned also of the effect it will have on the tranquil beautiful church of St John and the area of the medieval settlement. The tranquility will be shattered, the sense of remoteness lost, These reasons above are why the Exmo-20 should not go ahead.

Full name: Kate Carne

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to object to the proposed 700 house development at the edge of Exmouth. Although there are many reasons why such a huge project is contra-indicated, I will, for your benefit, concentrate on one aspect: sewage.

For the first three months of 2025, South West Water had 100 spills of sewage directly into the sea, amounting to 1115 hours. Multiply that by 4, and it provides an estimate for the whole of 2025, which would be 4460 hours of sewage pouring into the sea. This amounts to 185 days of overflow, or more than half of the year.

By a rough estimate, 700 houses will mean about 800 kilos of human feces, together with 365,000 litres of water flushed down the toilet to dispose of this feces.

Given that Southwest water cannot manage the current level of waste water safely, it is ludicrous to imagine that they would somehow be able to dispose safely of discharge from a further 700 houses.

For this reason alone, the development poses a risk to public health and should not be allowed to proceed.

Full name: Elene Carroll

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The sheer mass of proposed houses on this site is unrealistic and shows no regard for the environment or thoughtful planning from the council and is just pure greed from Clinton Devon estates. It implies an area has been plucked from a map with no thought of the consequences it will have to the Pebblebed heaths, farmland, forests or green areas and not 'carefully considered' as they would have us believe. The recent protest shows this development is neither wanted nor welcome. not to mention the unsuitable roads around the Exmo_20 site which are not equipped to deal with the extra traffic and are completely dangerous as they currently stand. I object wholeheartedly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Elene Carroll

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I believe that these plan's are not sound and they will not have a positive effect on the people of Exmouth or Budleigh. The natural habitats that will be destroyed to accommodate these plan's will be lost for ever. This will be very sad for future generations as the common will be irreversibly changed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan.

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Full name: Elene Carroll

Proposal:

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Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It is not possible to screen out a likely significant effect for it's units within the EDPH SAC and SPA and the plan HRA states there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is yet no and to mitigate or address the risks. This site was selected on 03.09/24 without option to reconsider with the draft local plan approved on 11.12.24 on the assumption that a mitigation strategy would be forthcoming prior to under taking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "people over wind". Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against mitigation hierarchy as set out in NPPF paragraph 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan.

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Full name: elene carroll

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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

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

Exmouth will become merged with Budleigh and then where will it stop. The beauty of Exmouth is already becoming compromised with the proposed site opposite Mcdonalds and the planned expansion of Liverton business park. The identity and character of Exmouth is being destroyed and being replaced with a vast expanse of housing estates. Losing so much green space will be an absolute travesty for generations to come.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

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Full name: elene carroll

Proposal:

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Exmo_20

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

There is no infrastructure within Exmouth to cope with the extra sewage. No additional secondary schools, police stations, hospitals or dentists to cope with the added housing. The damage to wildlife and the disruption to St Johns residents will be immeasurable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan.

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Exmo_20

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

Completely detrimental and destructive to the natural and beautiful landscape and productive farmland. The houses in neighbouring estates have not even all been sold so the need for more housing is ludicrous and complete greed on the developers part. No regard for nature in this appalling development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from Local Plan.

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Full name: Nina Kathryn Cartwright

Proposal:

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Exmo_20

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Nina Kathryn Cartwright

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

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

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via Southern wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East

Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Tricia Cassel-Gerard

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: >

Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. > This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

Full name: Tricia Cassel-Gerard

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

Thank you for your consideration.

Full name: Ian Michael Caston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Totally out of proportion to the surroundings with serious impact on the environment

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Development not proportional to general area

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Not in sympathy with natural habitat adjoining

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Totally out of proportion to surrounding area and too much impact on AOB

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Development totally out of proportion to the area

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Development totally out of proportion to the rural area/urban area balance of the immediate vicinity

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: move the settlement boundary away from Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: William Cathery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: A 400 metre buffer zone from the Pebblebed Heaths which is a critical home for nature (including a key ground nesting area for the nationally rare Nightjar and other ecologically significant species) is not sufficient; the light pollution and noise pollution, including from increased traffic, is of real concern, as well as predation from pets (e.g. cats, who can roam up to 2km) and the impact of increased recreational use of the heaths. Merely stating that there will need to be mitigation of adverse highway impacts is not sufficient; the B3179 is a dangerous road, and the impact on commuter traffic and towns like Woodbury has not been adequately considered. Sandygate roundabout and Clyst St George roundabout which are already a problem for commuters at peak times will be even more heavily congested, and this will detrimentally impact commuters from Exmouth, Budleigh, Woodbury and the surrounding areas. The reality is that this is not an Exmouth development site; it is significantly closer to the town of Budleigh Salterton (2.3 miles) and the impact of the development on this small town and its infrastructure has not been adequately considered; it will increase the town's population by approximately 30% overnight, which will have a devastating impact on local schools, and in particular Budleigh's primary school (which is already over PAN), the sewerage network and GP surgery. The designation as an Exmouth site is inaccurate and therefore not legally compliant. Comments to address concerns throughout are vague and non-committal and significantly more detail is required as to the specific measures they will employ to make Exmo_20 viable. For example, how will adverse highway impacts be mitigated against? How will they determine the size of the buffer to Pebblebed Heaths? How will they ensure local infrastructure is updated to accommodate a new development?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Reduce the size of the development significantly, and move the boundary and access away from Pebblebed Heaths. Ensure the impact on Budleigh and its infrastructure is properly considered before any development is approved and include significantly more detail on how the adverse impacts of the development will be mitigated against in the Plan.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: For the same reasons as set out above

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As above

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20, as it conflicts with national planning policy and is therefore unsound and not legally compliant. The Local Plan includes an over-supply of housing because it does not use the most recent ONS data, as required. The figure of 1,188 in the Plan was based on February 2025 data, before the 2024 ONS figures were published, and is therefore invalid. Corrected figures reduce the housing requirement significantly, meaning many policies in the Plan that rely on an overriding need to justify impacts or harm, including mitigation for the Pebblebed Heaths SPA/SAC/SSSI, are no longer justified. Exmo_20 should be removed from the Plan, as it requires multiple mitigation measures for internationally and nationally protected habitats. In addition, evidence documents contain further numerical errors that must be corrected and re-consulted on, as accurate figures are essential for a sound Local Plan. Plans must be clear and unambiguous so decision-makers can understand how to respond to development proposals, which is not the case here.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan and is therefore unsound. The main access to the site is over 2 miles from Budleigh Salterton and 4 miles from Exmouth by road. Developing Exmo_20 would place significant pressure on Budleigh Salterton, conflicting with the settlement hierarchy and overwhelming local services. The Local Plan does not appear to have properly considered the impact on Budleigh Salterton. In addition, the steep and uneven local topography makes walking and cycling to nearby towns difficult, meaning the site would be highly car-dependent—something not reflected on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20, as it conflicts with national planning policy and is therefore unsound. The Local Plan Authority (LPA) has attempted to retrospectively change the Site Selection Methodology (SSM) to justify including Exmo_20. The original SSM from May 2022, used during the Regulation 18 process, would not have allowed Exmo_20 to be selected because it clearly rules out sites within 400m of the Pebblebed Heaths SAC. After the draft Local Plan was approved in December 2024, an amended version of the SSM was presented in the Regulation 19 evidence library, claiming to have been used for site selection, when it was not. This appears misleading and raises concerns about transparency and adherence to proper planning principles. The original methodology confirms that only sites that are suitable, available, and achievable should be considered, and Exmo_20 does not meet these criteria due to its proximity to protected habitats. The CommonPlace platform used for this consultation is difficult and unuser-friendly, making it hard for members of the public to submit their views. The process is clunky and discouraging, effectively limiting meaningful public engagement. Awareness of the proposed Exmo_20 development has been minimal, with very little public promotion, meaning the consultation has largely taken place “under the radar” and lacks transparency. Overall, the consultation process is poor, does not genuinely encourage community input, and prevents residents from fully engaging with decisions that will affect their local area.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan. The CommonPlace platform used for this consultation is difficult and unuser-friendly, making it hard for members of the public to submit their views. The process is clunky and discouraging, effectively limiting meaningful public engagement. Awareness of the proposed Exmo_20 development has been minimal, with very little public promotion, meaning the consultation has largely taken place “under the radar” and lacks transparency. Overall, the consultation process is poor, does not genuinely encourage community input, and prevents residents from fully engaging with decisions that will affect their local area.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_20 from the plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I strongly object to the allocation of Exmo_20, as it conflicts with national planning policy and the Local Plan and is therefore unsound. The site's location would force residents to rely heavily on cars. The main proposed access from the B3179 is indirect and inconvenient, meaning residents would need to drive long distances just to reach everyday services and facilities in Budleigh Salterton or Exmouth. Cycling and walking are unlikely to be practical, particularly given the isolated location and the road layout. Policy changes now make walking and cycling a mandatory priority, which Exmo_20 cannot realistically meet. Development here would therefore be unsustainable, generating a large number of car journeys and adding to traffic congestion, pollution, and safety risks. Housing on the southern part of the site would require residents to drive at least 1 km on-site each time they travel anywhere, further highlighting the unsuitability of this location for new development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20 because it conflicts with national planning policy and the Local Plan and is therefore unsound. The site sits above Exmouth and drains into Withycombe Brook, which flows through some of the most populated areas in the town. The brook has a history of flooding, with recorded events in 1960, 1983 and 2012, and current flood risk is already significant. Future climate change will only make flooding worse. The Strategic Flood Risk Assessment barely acknowledges Withycombe Brook, and the Local Plan has not properly applied the sequential, risk-based approach required to avoid putting people and property in flood risk areas. Allocating Exmo_20 would increase flood risk to the town and is therefore inappropriate. The Common has heavy clay soils, which are prone to waterlogging and poor drainage. This makes the land less suitable for development and increases the risk of surface water flooding. Disturbing these soils through construction could also damage the natural habitat and lead to erosion, runoff, and other environmental problems.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan and is therefore unsound. The Exmo_20 site forms part of a Strategic Nature Area that acts as an important buffer between Exmouth and the Pebblebed Heaths, which are internationally and nationally protected for wildlife. The land supports wildlife linked to the Heaths, including foraging habitat for the Nightjar, a protected ground-nesting bird, and provides an important wildlife corridor between the Heaths and the coast. Devon County Council is in the process of designating this area as part of a Local Nature Recovery Area, aimed at protecting and expanding habitats in line with national environmental goals. Developing Exmo_20 would directly undermine these aims. The site contains veteran trees, ancient woodland and hedgerows, which would become fragmented and degraded if development went ahead. Devon Wildlife Trust has strongly objected to the allocation, stating that the entire site lies within a Strategic Nature Area identified for its nationally important habitats and wide range of species. They advise that this land should be enhanced for nature recovery, not allocated for development, and that development would cause significant harm to the Pebblebed Heaths and the wildlife they support. For these reasons, Exmo_20 should not be allocated for development. Bystock Ponds provide an important and sensitive habitat for beavers, a protected species whose presence depends on clean water, quiet surroundings and connected wetland habitats. Development at Exmo_20 would risk disturbing this habitat through increased noise, lighting, human activity and changes to water flow and quality. Additional traffic, drainage and recreational pressure could disrupt the ponds and the surrounding landscape that beavers rely on for shelter and feeding. Any

compromise to this habitat would undermine local nature recovery efforts and the significant ecological value of Bystock Ponds, and should be avoided.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan and is therefore unsound. Exmo_20 would surround the Grade II* listed Church of St John in the Wilderness, causing serious harm to its setting. The church and churchyard sit within a historic medieval settlement area that is valued for its quiet, remote character, dark skies and strong sense of isolation. This “wilderness” setting is a key part of the church’s significance and would be permanently damaged by a large housing development encircling it, even if a buffer were left around the building. Historic England has raised strong concerns, stating that much of Exmo_20 lies within the setting of this highly significant heritage asset and that development could cause considerable harm. They also highlight that the proposed access road from the B3179 would itself damage the setting and could lead to further development pressure in the future. Historic England advises that alternative access and development options in less sensitive areas should be explored. For these reasons, Exmo_20 should not be allocated.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20 because it does not comply with national planning policy or the Local Plan and is therefore unsound. There is no clear or viable access to the site. The current proposal relies mainly on access from the B3179, but this would require major highway works that are uncertain, uncosted and have not been confirmed as acceptable by Devon County Council. Without this certainty, the site cannot be considered deliverable. The impacts of additional traffic on the B3179 have also not been properly assessed. Increased congestion and vehicle emissions would affect both local residents and the nearby Pebblebed Heaths, which are highly protected for their wildlife. The combined impact of this development with other nearby sites has not been adequately considered. The Habitats Regulations Assessment confirms that there is not enough certainty to rule out harm to the Pebblebed Heaths from air pollution. This is largely because traffic from Exmo_20 would travel along the edge of the Heaths. Allocating this site despite this uncertainty goes against the required precautionary approach and the principle that harm should be avoided in the first place, rather than relying on unproven mitigation. At present, there is no clear evidence that the environmental impacts of Exmo_20 can be safely mitigated. Without this certainty, the site should not be allocated. I reserve the right to comment further if and when a full Habitats Regulations Assessment and a robust mitigation strategy are provided, and I request to be notified if this information becomes available. The B3179 is already heavily congested, particularly during peak commuter times with traffic travelling to and from Exeter. Adding traffic from Exmo_20, which would generate well over 1,400

additional cars, would significantly worsen congestion on an already busy route. The road is narrow in places, has hidden dips and poor visibility, and is regularly used by pedestrians, cyclists and horse riders crossing between the Heaths. There have been a number of accidents along this stretch, and it is widely regarded as a potential accident hotspot. Further development would increase the risk to road users and make existing safety problems worse.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan, and is therefore unsound. The site is directly adjacent to the Pebblebed Heaths, which are internationally and nationally protected for their wildlife. A buffer of at least 400 metres between new development and the protected sites has been proposed, mainly to reduce impacts such as cat predation and increased recreational pressure. However, this distance is not sufficient. Domestic cats are known to roam well beyond 400 metres, particularly in more rural locations, and ground-nesting birds such as the Nightjar are especially vulnerable to predation. Even a single predation event can cause nesting failure. Given the importance of the Nightjar as a protected species, a significantly larger buffer is required to follow a genuinely precautionary approach. The allocation of Exmo_20 relies on a mitigation strategy and Habitats Regulations Assessment (HRA) that are not yet complete or proven to work. The current evidence does not demonstrate that the impacts on the Pebblebed Heaths can be avoided or adequately reduced. In the absence of robust and deliverable mitigation, the precautionary approach requires at least the removal of the area of the site closest to the protected habitats, and potentially a much greater reduction. The land closest to the Heaths provides important supporting habitat for wildlife and helps reduce disturbance. Increased dog walking, cycling and general recreational use would place additional pressure on the protected sites, and these impacts have not yet been properly assessed at site level. Until this is done, impacts must be addressed at a strategic level through a much larger buffer and a reduced development footprint. This

concern is shared by professional ecological bodies. Devon Wildlife Trust, the RSPB and the East Devon National Landscape Partnership have all raised objections. East Devon National Landscape has stated that a 400-metre buffer is not large enough to prevent damage from increased visitor numbers, traffic and access, and that development would further fragment surrounding habitats. They support either the removal of Exmo_20 from the Plan or a significant reduction in its size, with development pulled closer to the existing town and a much larger green buffer retained next to the Heaths. The allocation is also difficult to justify because there are other sites available that are less sensitive and would require far less mitigation. In addition, the Local Plan includes more housing land than necessary, due to not using the most up-to-date population data. Natural England has also raised concerns, recommending that development be pulled further away from the protected sites and that a clear natural buffer be secured, potentially through planning obligations. This would provide clearer and more effective protection for the Pebblebed Heaths. For these reasons, Exmo_20 should not be allocated in its current form. At the very least, the site boundary and housing numbers should be significantly reduced, with a much larger buffer between development and the Pebblebed Heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound, as it conflicts with national planning policy and the Local Plan. The site lies adjacent to the Pebblebed Heaths SAC/SPA/SSSI and relies on extensive habitat and species mitigation that has not been shown to be achievable or effective. The mitigation strategy confirms that likely significant effects on the designated sites cannot be ruled out, and the Plan HRA acknowledges that proposed growth would exceed acceptable thresholds with no identified means of mitigation. Exmo_20 was selected and the draft Local Plan approved on the assumption that a mitigation strategy would be provided later, with an Appropriate Assessment only undertaken afterwards. This approach fails to apply the required precautionary principle and is inconsistent with established legal requirements for habitat protection. Where sites with known mitigation needs are proposed, clear justification through the mitigation hierarchy is required. This has not been undertaken. The allocation is particularly difficult to justify given the availability of alternative, less mitigation-dependent sites and an overall over-supply of housing caused by the failure to use the most up-to-date population data. Devon Wildlife Trust has stated that the site currently acts as an important buffer between Exmouth and the highly designated land to the north, and that development would result in the degradation and loss of ecologically supportive land outside the designated boundaries. Overall, these issues demonstrate serious failings by the LPA in its duties as the Competent Authority under habitat protection legislation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

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Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

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Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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Exmo_20

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

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Exmo_20

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Carolyn Charman

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: MR ANTHONY CHARMAN

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Christie

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The remote location of the Exmo_20 site from nearby town centres, its steep topography and the proposal that the main access point is on the B3179, all result in a number of concerns: 1. The topography of the site and local area makes potential walking and cycling options less realistic (paragraph 11.6 of the Local Plan), meaning that residents are likely to have to drive to get anywhere, resulting in a significant increase in car travel in the area. This conflicts with paragraph 109 of the National Planning Policy Framework December 2023 (NPPF) and with Policy TR01 and paragraph 11.2 of the Local Plan, and therefore makes Exmo_20 unsound. 2. The main access point on B3179 will necessitate long car journeys due to this location being distant by road from town centres and places of employment – drivers have a long and complex route to any facilities and services. Indeed, some drivers will even have a long drive to exit the site from some locations on the site. All this conflicts with paragraphs 92 and 109 of the NPPF and therefore makes Exmo_20 unsound. 3. Cumulative and in-combination effects on the B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. Traffic along the B3179 has been steadily increasing in recent years as drivers from parts of Exmouth (eg Dinan Way area) use the B3179 as an alternative route to get to Exeter. Congestion near Clyst St George (and Clyst St Mary) has been getting worse and at peak times it can take 30 minutes longer to get to Exeter than it did 10 years ago. There are no meaningful public transport alternatives from the isolated location proposed. Exmo_20 is only going to worsen all of this. This conflicts with paragraph 114(d) of the NPPF and Policy OL09. 4. The proposed access point on the B3179 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. The site allocation runs the risk of overwhelming

Budleigh Salterton's town centre and access. This would conflict with the settlement hierarchy. Overall, the increased car use due to the isolated location, requiring a long drive even to exit the site, never mind to access facilities and services, coupled with limited opportunities for sustainable transport (in part due to the topography), means that Exmo_20 is in conflict with (i) paragraphs 92, 109 and 114(d) of the NPPF, (ii) policies TR01, TR03 and OL09, and (iii) paragraphs 3.6 and 11.2 of the Local Plan. All this makes Exmo_20 fundamentally unsound. I also have concerns about the location of the site, being part of Strategic Area 368, which I understand is identified as an important buffer between Exmouth and the Pebblebed Heaths. I am a member of Devon Wildlife Trust and have seen their submission that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development... We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC." I am also aware that East Devon National Landscape wants the site not to be adopted as development land. I therefore believe that the environmental impact of development of Exmo_20 would contravene paragraphs 16c, 181, 185(a), 186(c), 188, 191 of the NPPF, as well as Policies PB01, PB02 and PB04 and paragraphs 3.6, 13.10 and 13.24 of the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

I strongly urge East Devon District Council not to include the proposed allocation to Exmo_20 within its Local Plan. Failing that, there needs to be: - a VERY significantly reduced housing number, closer to the existing Exmouth town settlement, preserving a greater rural boundary between the site and Pebblebed Heaths and giving more opportunity for sustainable transport; and - no access from the B3179 - the main access should be on the Exmouth town side of the development, thus avoiding traffic pollution along the Pebblebed Heaths and giving more opportunity for sustainable transport. However, only the complete removal of Exmo_20 from the Local Plan will properly address all of the very significant concerns I have with this proposed development site.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie and Jo Clark

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to register my utter dismay at the plans to build 700 new homes in the Ting Tong area. I have been unable to swim in the sea for the past year due to the filth that SWW is pumping into the sea. Their complete failure to manage the existing flow of sewage will only be exacerbated by this development. *** Personal details have been removed *** should be ashamed of themselves. Where is the reassurance that SWW are going to be able to deal with this development. The River Otter is practically dead due to the sewage in it.

We have already had the Goodmore development. Years ago my family owned some of that land and lived in the big house there. Thank the Lord they are dead as they would be horrified.

We need the council's word that SWW will be able to cope with this development. Also how on earth will the top road cope with all the traffic? I often see deer in that field. Where will they go? This is such a beautiful place to live but it is slowly being turned into a concrete jungle. I feel very distressed and sad.

Regards,

*** Personal details have been removed ***

Full name: Phil Clayton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
STOP EXMO_20

To who it may concern,

I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the

need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the

SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Kind regards, *** Personal details have been removed ***

Full name: Susan Close

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: it will significantly erode the buffer zone between the Pebblebed Heaths and the urban area to the south. Inevitably the increased population with its attendant cars, pets and recreational pursuits will adversely affect this natural habitat. I am also very concerned as to how the existing infrastructure will be able to cope with the increased traffic, water supply, rainwater run off and sewage drainage given the current situation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan. Reduce the size of Exmo_20. Do not access the site via B3179. Do not access the site via southern wood. Move the settlement boundary away from the Pebblebed Heaths. Revert to Exmo_20b as previously proposed.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Susan Close

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to protest against the proposed development of combined housing and industrial units on National Landscape Land, formerly known as an Area of Outstanding Beauty, on the outskirts of Exmouth. It is astounding that this proposal is being considered with regard to land which has a protected status, already a dwindling resource, and cherished by the community.

Bisected by the proposed road network, the well used and much appreciated cycle/foot path between Budleigh Salterton and Exmouth used by cyclists/ families/ dog walkers/ pedestrians/ disabled persons seeking recreation and sanctuary away from traffic would be changed beyond recognition. The suburban spread of Exmouth into this National Landscape Land, outstandingly beautiful because of its green fields and natural open spaces, makes a mockery of these labels. Where will it stop?

The increased traffic on local roads, already in dire need of repair, will only exacerbate the situation and add more traffic hazards. Above all, how can S.W. Water, already failing to treat our sewage properly and supply us with water that doesn't leak away into the ground, cope with any further development? Neighbouring Budleigh Salterton has already suffered a downgrade in its bathing water quality - which poses a serious health risk to residents and holiday makers alike. Surely, the company needs to put its house in order before servicing more properties.

There is no doubt that the nation needs more housing, but first we need the provision of a strong, future-proof, well planned infrastructure, providing education, healthcare, efficient sewage treatment, community spaces and services, instead of stuffing extra housing willy nilly into any empty space.

Full name: Ben Cochrane

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This is massive over development of greenbelt land in an area that has been hammered in the last few couple of years. The proposed 'development' is the size of a village and will cause a detrimental impact on the traffic (have you been on our roads recently?) not to mention another massive loss to nature and biodiversity. How this is even being considered when it is right next door to pebble bed heaths with all the nature there is astonishing. The quality of life for us in east Devon is going down massively with the huge influx of houses going up on every field around exmouth. The increase in traffic, pollution, the loss of nature and peace is having a detrimental impact on many people I know that like me are born and bred in Devon. This is Devon not some metropolis with an endless supply of jobs. I ask you consider when does this end? When there are no fields left? A line has to be drawn as we are losing everything dear to us in the rural county of Devon. This is a huge over development and grossly out of proportion to the area and I plead for you to reject it, history will be kind to you if you do.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please remove Exmo_20 from the plan. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Esther Cochrane

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This proposed development is just far too big and imposing for the local area. In my opinion, it will only negatively impact the local community and environment. Exmouth is plenty big enough, and it can barely manage its current sewage system! Our doctors are at full capacity and the roads are so busy and already in such a bad state of disrepair. This will all only get worse with more housing and more people moving into the area. Please consider the quality of life of the local people and the surrounding nature, this is one of the few beautiful areas left in the country, the reason why people come here for holidays, please don't ruin it! Also see the following reasons: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing

allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Christine and Bernard Cole

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to object to the building of a large housing estate on protected National Landscape.

Building on land outside the National Landscape would be cheaper, making it possible to build a bigger percentage of affordable homes which are desperately needed in Exmouth.

Additionally, the exit from the Exmouth-17 site would create traffic chaos and the access road would go straight across the much used Exmouth to Budleigh cycle/footpath, endangering children, elderly, cyclists, families and dogs.

Please care about the people of Exmouth. We have a wonderful community and it would be amazing if you could provide more affordable houses for the youngsters in need (Exmouth's future) and at the same time avoid building on our beautiful protected National Landscape.

Full name: Gary Coles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heath and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the

settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Gary Coles

Proposal:

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Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Gary Coles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Gary Coles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove access from site on B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo_20 from local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Juniper Connal

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Chapter 8: Housing Needs

The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area.

Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Chapter 11: Sustainable Transport

The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit.

A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to catch a bus plus a train.

Chapter 12: Landscape

Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments.

EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***) has confirmed this in a letter to our MP, (***) Personal details have been removed (***) of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it.

There is no reason to build the proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also an old farmhouse on the perimeter (age?).

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast.

Full name: Hannah Cooper

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robert Cooper

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It's adjacent to the AONB and in an elevated position. This development will be detrimental to the landscape, impacting on the AONB.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: No development in or in close proximity to the AONB and/ National Landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Timothy Cope

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am e-mailing about this proposed development of houses and business premises in this location It is a part of a national landscape of beauty I believe and should be treated as such This being said any new developments within Exmouth at this time should be carefully thought through The infrastructure within Exmouth is already under immense pressure, not only healthcare educational and road networks even sewage Please, before agreeing to new developments, take these issues very seriously EMO-17 is an area where people of Exmouth do not want to see development of any kind

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 do not access the site via B3179 nor via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Richard Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Richard Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood.

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Exmo_20

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood

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Exmo_20

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood.

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Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Richard Cosgrave

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Full name: Richard Cosgrave

Proposal:

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Richard Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Trudi Cotton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Planning team We understand how difficult this decision must be and how you are being pressured by the national government, however after much thought we feel the choice of Exmo-17, a large area opposite Liverton Trading Estate is the worst possible choice., for the reasons given below.

1. For years there has been the Green Belt, which has limited development and we can see that towns may have to expand into this land but this is in an area categorised as an Area of Outstanding National Beauty (now National Landscape). It would be very sad if it were to become another messy estate, such as Goodmores, where developers have ignored many of the environmental restrictions placed by the council and seem to be constructing a treeless desert.

2. Of course once the area is breached then other estates will rapidly follow, leading to the National Landscape designation becoming laughable and more of the beauty of our area disappearing. One reason for this is that building on this land will be cheaper for developers.

3. Developers who build there will not build the kind of houses that the government wants. Why would you build affordable housing when the chance of 4 and more bedroom houses with sea and beautiful countryside views will sell for so much more? Live West has not built the agreed amount at Goodmores and the council can do nothing about this.

4. The road Exmo-17 would be built on is dangerous and friends of ours were nearly killed exiting the Liverton estate only last year. One has been left with life changing injuries.

5. The access road will also cross the Exmouth to Budleigh cycle path endangering its many users at a time when cycling in the area is being promoted by the council. There are also walkers (like us), people exercising their dogs and children who use this path.

6. Of course all the schemes will object on environmental grounds and this one is no exception. Apart from the threat to wildlife, we all need beautiful views and green spaces for mental health and these views create a particularly lovely exit from Exmouth.

7. And, as you well know, any development will put an enormous strain on our already strained water and sewerage system and this particular choice will only encourage further building, as stated above in Point 1.

Yours sincerely

Full name: Alison Court

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I believe that Exmo_20's allocation would overwhelm Budleigh Salterton's services and facilities in particular, and generate an unacceptable increase in traffic to/from both Budleigh Salterton and Exmouth to the significant detriment of both communities. As I understand it, the proposed access onto the B3179 would need major work which has not been properly costed and planned. But even with that work, the allocation would lead to unacceptable congestion on already busy roads and to air pollution. As I also understand, a host of expert organisations - the Devon Wildlife Trust, RSPB, Natural England and Historic England - have warned of unacceptable environmental and other impacts, and some have raised the possibility of reducing the scale and changing the boundary of the site to reduce some of them. But the key point is that the whole allocation is unsound because of its PROXIMITY to vital habitats, and at least as importantly its ISOLATION from existing communities and existing roads (and rail) that could cope with increased traffic. Note also the struggles that SW Water has had dealing with sewage in the area recently. Tankers night and day streaming from Lime Kiln car park to Exmouth. The system already cannot cope. I also believe that our environment cannot always take more development. If you look at what our countryside looked like 100 or even 50 years ago, the rate of development is obvious and unsustainable. There has to be a point when we say NO. We have to try to save what we still have, for the future health, mental and physical of our children and, we hope, our children's children.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove it from the local plan. Development cannot continue to be on green land. It has to be on brownfield sites. And it has to be closer to transport infrastructure.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: David Cowan

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed development is not suitable for the proposed location due to: Environmental - impact on the pebble bed area and historical site. Infrastructure - the current infrastructure cannot cope so any new development will just add to these issues. A key issue is the current road system in the area which is at capacity and not safe . Local services - Budleigh and Exmouth schools and health services are stretched already and would not cope with with this proposed development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Seek an alternative site .

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Helen cox

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a

reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk

that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20

currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of

the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3:

Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan.

Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with

Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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Full name: dr helen crighton

Proposal:

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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Full name: dr helen crighton

Proposal:

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Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home

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Full name: dr helen crighton

Proposal:

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from the local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo_20 from the local plan revert to 20b as previously planned

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephen Crook

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The development proposed at Exmo_20 could and should be located on an alternative site where it would cause less or no harm to the Pebblebed Heaths(SAC/SPA). Developing Exmo_20 is contrary to POLICY PB01 of the local plan and not in accordance with the mitigation strategy. The main access point of Exmo_20 is significantly closer to Budleigh Salterton than Exmouth, making Budleigh its most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the obvious choice for residents of Exmo_20. This would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 * Do not access the site via the B3179 * Do not access the site via Southern Wood * Revert to Exmo_20b as previously proposed.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Evelyn Crook

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Increase in traffic on small, poor roads. Without dedicated transport infrastructure there will be a large increase in traffic, especially at certain times, leaving for work / school and then coming home from school then work. There are no footpaths planned or on site schools so every child and working person will be making trips by car. The site is not suitable for such an increase in traffic 2. The proposal for a large development so close to Pebblebed Heath and all its unique landscapes and endangered wildlife is astonishing on the part of the planners. There is no mitigation possible that would account for the damage that would be done. 3. Health infrastructure. I see no provision for health care on site. The burden of new housing of this scale is likely to overwhelm local primary health care, especially in an area with a high proportion of elderly residents

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

1. Road widening and speed restrictions on current roads to make them suitable for the increase in traffic burden. Footpaths to local shops and schools to decrease the number of car journeys. Extra bus routes to the development to decrease the number of bus journeys . 2. I do not believe there is any mitigation to the damage to local wildlife

and environment. Remove Exmo_20 from the list of sites 3. Provide new GP surgery for the development

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: stephen cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: stephen cross

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: stephen cross

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: stephen cross

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Full name: stephen cross

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: stephen cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Full name: kirsty cross

Proposal:

5. Development in the Towns and Villages

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site,

using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: kirsty cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: kirsty cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: kirsty cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: kirsty cross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and

supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Edward Cudworth

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reduce the size of the Exmo_20 housing allocation to reduce impact on the area and bring it more in line with local housing needs.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed to reduce the impact on and proximity to the Pebbled Heaths.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan as the access to both Budleigh Salterton and Exmouth is not suitable without adding significant traffic to the already strained road network, especially on the B3179.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 allocation to reduce the amount of housing that produce waste water, and hard surfaces (roads, paving, tarmac etc) that exasperate surface water flood risks.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal to have the majority/bulk of the access onto the B3179 is not appropriate. This is an already busy, narrow, unlit and dangerous stretch of road that sees regular traffic accidents and debris in the road from the fragile banks and surrounding trees. To make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Liz Culpepper

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This is far too many houses for this site.

Full name: Quinton Cumbes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have recently been made aware of the plan to build 700 houses on the outskirts of Exmouth. I wish to object to this scheme.

Such a large increase in houses, I am concerned that the amenities will not be in place to support the scheme. With the current SWW treatment works being unable to cope with the sewage from the town, I cannot see that another 700 houses will help the situation. A large increase in houses will also need an appropriate increase in healthcare, GP's and school places. Has this been taken into account? I question how and where traffic from such a large estate will be dealt with, The roads in the area are already overcrowded.

I am a volunteer with the Pebblebed Heaths Conservation Trust. I see from the map it will be a road width's away from the heathland. I have carried out surveys this Spring in the area, counting Dartford Warblers, a very rare and important resident of the heath. Our survey came within a stone throw of the proposed project. Such a large new area of houses will impact on this and other rare species on the heath due to their proximity.

All in all, this is a very large area of proposed housing in the wrong place. I object to the plan to build so many houses here.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have recently been made aware of the plan to build 700 houses on the outskirts of Exmouth. I wish to object to this scheme.

Such a large increase in houses, I am concerned that the amenities will not be in place to support the scheme. With the current SWW treatment works being unable to cope with the sewage from the town, I cannot see that another 700 houses will help the situation. A large increase in houses will also need an appropriate increase in healthcare, GP's and school places. Has this been taken into account? I question how and where traffic from such a large estate will be dealt with, The roads in the area are already overcrowded.

I am a volunteer with the Pebblebed Heaths Conservation Trust. I see from the map it will be a road width's away from the heathland. I have carried out surveys this Spring in the area, counting Dartford Warblers, a very rare and important resident of the heath. Our survey came within a stone throw of the proposed project. Such a large new area of houses will impact on this and other rare species on the heath due to their proximity.

All in all, this is a very large area of proposed housing in the wrong place. I object to the plan to build so many houses here.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_20

Full name: Louisa Currier

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It is unacceptable to build on viable agricultural land.the 2025 harvest was very poor due to extreme weather events, with farmers in East Devon having to use their winter feed in summer for cattle. The economy and culture of East Devon is dependant on farming, it is essential we protect this valuable asset.

Full name: Gareth Davis

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There is no viable access to this site, the B3179 is a narrow road which already has too much traffic using it, accidents happen quite frequently on this road. This development is also too close to the pebbled heaths which would effect the wild life that inhabit the heaths especially nesting birds such as the nightjar.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do Not access the site via the B3179 or Southern Wood Move the boundary away from pebble bed heaths. Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julie Dawkins

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing as a local resident to object to the proposed development on Exmo_17, which lies within a protected National Landscape.

Exmouth needs genuinely affordable homes for local people, not predominantly high-end housing in a sensitive landscape.

The development would add hundreds of extra vehicles to already congested roads

I walk the Exmouth–Budleigh path regularly with my dogs and also cycle and run along it, as do many of my friends. I also spend time on the South West Coast Path. The proposed access road would cut across the cycle and footpath, require the loss of mature trees, and all the poor animals and creatures and wild life living there .

For these reasons, I strongly object to the development of Exmo_17 and urge the council to protect this precious landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul De'Athe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Plan has an oversupply of housing allocations due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. this figure should be reduced to 1,1445 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath Special Protected area (SPA)/Special Area of Conservation (SPA) and Site of Special Scientific Interest (SSSI). Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of the NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations as a result of not using the "most recent data published at the time", ONS data, as is mandatory (MHCLG - Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. The figure should be reduced to 1,156 with 80% being 925, with a 22 year plan requirement of 20,342 (not including rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and, since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the Plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI). Further numerical and mathematical are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and consulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of the National Policy Planning Framework (NPPF) December 2023 states that "Plans should contain policies that are clearly written and unambiguous so that it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In the interest of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03 and therefore unsound. It also conflicts with paragraphs 3.6 & 11.2 of the Local Plan. It's evident that Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main proposed access point on the B3179 (roughly opposite the existing Archery Club), to access services and facilities further afield. It has not been demonstrated that sufficient regularly needed local services can be accessed by either cycling or walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as cycling or walking being a likely first transportation choice is now considered mandatory rather than desirable. The isolated nature of the location and Exmo_20's B3179 proposed access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services in either Budleigh Salterton or Exmouth on roads unsuitable for large volumes of traffic. Regarding housing in the southern part of the site, the use of the B3179 as the access point would need a minimum of 1km on-site driving every time prospective residents went anywhere and returned home, that in itself raising additional vehicular emissions within the site and around the B3179 entrance and exit.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and is therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and local area's topography makes the potential cycling and walking options far less viable, which is not apparent on the policy maps. Cycling and/or walking along the B3179 would not be something to be undertaken lightly given the nature of the road with high hedges and no footway.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and local area's topography makes the potential cycling and walking options far less viable, which is not apparent on the policy maps. Cycling and/or walking along the B3179 would not be something to be undertaken lightly given the nature of the road with high hedges and no footway. The 3D representation of the area specific to Exmo_20 has been uploaded below and serves to show the topography of the watershed and its height above Bystock Fishponds that could potentially be adversely affected by increased runoff from the B3179 occasioned by increased vehicular movement from Exmo_20.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In the interests of local democracy and our lived in environment

Full name: Paul De'Athe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is in clear conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraphs 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is NO viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179 but in order to make this viable would need major, uncertain and uncoded highway works, NOT confirmed by Devon County Council. Cumulative and in-combination effects on the B3179 must be considered, both in terms of traffic disruption, congestion and accompanying air pollution affecting the adjacent Pebblebed Heaths. The Habitats Regulation Assessment (18.11.25) confirms that there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary to the Pebblebed Heath. The allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy over avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's in the plan is therefore unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Cathy Debenham

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am distressed to see the council's proposals to build a huge estate on National Landscape land.

1. Firstly large housing estates should not be built on a protected AONB (National Landscape).

2. It would be cheaper to build on land outside the National Landscape area, and would make it possible to build a bigger percentage of affordable homes.

3 The exit from the site (Exmo-17) would create traffic chaos and the access road would go straight across the busy Exmouth to Budleigh cycle/footpath endangering users such as children, cyclists, families, dogs, etc.

Full name: Daniela Deighton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Firstly the web link Commonplace is complicated and not easily accessible, essentially for people whose computer abilities are limited.

This could be perceived as a deliberate obstruction to allowing people to access the ability to lodge objections. Penultimately this would affect the data/figures for any responses.

I wish to lodge my complaints AGAINST the above housing proposals as below:

1) The Proposed Development is very close to an area of ANOB and pebblebed heaths. Surrounded by Woodbury Common to the east and St John's Woodlands to the west. The destruction of woodland containing veteran trees and wildlife habitat. This is also incorporating area close to St Johns in the Wilderness Church which is a historic church.

2) The B3179 is entirely unsuitable for the excess traffic volume that will be created. The traffic will be accessing the road through Woodbury Village via B3179 to access EXeter and M5 Junction; and the B3180 across Woodbury Common to access A30/Exeter Sky Park. Woodbury Village narrow is unsuitable for volume of traffic and HGVs. The route

via Woodbury Common/West Hill is also narrow and unsuitable for traffic and HGVS. The A376 Lympstone to Exeter has had no improvement/widening for traffic capacity and will result in Commuter traffic bottleneck.

3) Insufficient infrastructure in the proposed location: A) No access to public transport, forcing people to use vehicles. At a time when we are supposed to be adopting “Green Transport” Strategy. There will be at least 700 to 1400 extra vehicles registered to the residential area and using the roads. B) Insufficient Doctors Surgery. C) Insufficient schools. D) inadequate and currently failing sewerage system. This is already failing to serve the towns of Exmouth and Budleigh Salterton.

4) Pollution from vehicles and human activity. 5) Environmental damage.

MY VOTE IS THE OBJECTION TO THE PROPOSAL OF EXMOU_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete the allocation

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Firstly the web link Commonplace is complicated and not easily accessible, essentially for people whose computer abilities are limited.

This could be perceived as a deliberate obstruction to allowing people to access the ability to lodge objections. Penultimately this would affect the data/figures for any responses.

I wish to lodge my complaints AGAINST the above housing proposals as below:

1) The Proposed Development is very close to an area of ANOB and pebblebed heaths. Surrounded by Woodbury Common to the east and St John's Woodlands to the west. The destruction of woodland containing veteran trees and wildlife habitat. This is also Incorporating area close to StJohns in the Wilderness Church which is a historic church.

2) The B3179 is entirely unsuitable for the excess traffic volume that will be created. The traffic will be accessing the road through Woodbury Village via B3179 to access EXeter and M5Junction:and the B3180 across Woodbury Common to access A30/Exeter Sky Park. Woodbury Village narrow is unsuitable for volume of traffic and HGVs. The route via Woodbury Common/West Hill is also narrow and unsuitable for traffic and HGVS. The A376 Lympstone to Exeter has had no improvement/widening for traffic capacity and will result in Commuter traffic bottleneck.

3) Insufficient infrastructure in the proposed location: A)No access to public transport,forcing people to use vehicles.At a time when we are supposed to be adopting "Green Transport " Strategy. There will be at least 700 to 1400 extra vehicles registered to the residential area and using the roads. B)Insufficient Doctors Surgery. C) Insufficient schools. D) inadequate and currently failing sewerage system.This is already failing to serve the towns of Exmouth and Budleigh Salterton.

4) Pollution from vehicles and human activity. 5) Environmental damage.

MY VOTE IS THE OBJECTION TO THE PROPOSAL OF EXMOU_20

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete the allocation

Full name: Leo Dickinson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This development is too large. 1000 new homes would mean approximately an extra 2000 cars and the planned access onto the B3179 would be a disaster for the area around Knowle. The consequence of building these houses would be to overload the medical and school services. It is not in keeping with the local plan, which is something we did have a say about.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b a smaller development with a different access.f

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: sharlene dodd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I did not receive an email.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: .

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation

would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the

protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a

‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and

supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if

not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible,

compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification.

Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5

miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats lastly, the local sewerage system is already in adequate and the actions by SWW are not effective in Budleigh with many outflows occurring with even a few mm of rain. The large number of outflows will affect both Budleigh Salterton and Exmouth. There appears to have been little or no increase in treatment capacity. The work has mostly concerned with shifting the sewerage from one region to another.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: We have not heard about the changes directly from county council

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from this plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please remove this site from the plan.....

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove site from plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Helen Douglas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

- Proposals adjacent and very close to the Pebblebed Heaths (Special Areas of Conservation, Special Protection Areas, Site of Special Scientific Interest). Wildlife must be protected in this area! Noise & pollution from housing/new roads would also impact wildlife. Similarly woodland must be protected - it takes a very long time for woodland, habitats and new wildlife to establish and once this is removed it would never be the same again. The level of housing and infrastructure proposed in this area is of too great a scale! Building housing / associated infrastructure in this area will impact the tranquillity of heritage assets (St John in the Wilderness Church) and natural habitats for wildlife. - Exmouth already is very busy in the summer, but currently still achieves being a relaxing destination for locals and tourists to enjoy the rest of the year. Building SO many more houses (which comes with it typically 2 vehicles per house, families, surplus requirements for local services) will put so much pressure on the existing schools, services and transport networks in the area. The roads will become too busy. Exmouth will lose it's relaxing charm. We need to protect these beautiful coastal areas and not overwhelm them.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

from the local plan or significantly reduce the size of it. Ensure greater buffer zones around wildlife areas.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Michael Downes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: [1. relates to another site]

2. to destroy National Landscape (Exmo_17). In both cases there will be:

3. damage to the natural habitat of mammals and other wildlife.

4. loss of good agricultural land leading to increased food miles because we have to import food instead of growing it in the UK.

5. increased risk of flooding caused by run-off because of concreting over fields.

6. increased traffic on narrow roads leading to traffic jams and collisions in the local area, all leading to gigantic bottleneck on A376 road to Exeter from Exmouth.

7. increased pressure on the currently insufficient transport infrastructure resulting in more and more potholes because of the volume of traffic including HGVs going to industrial sites).

8. increased pressure on the present poorly maintained sewerage systems resulting in inability to cope with more poo etc from houses, leading to polluted beaches which damages the tourism reputation of places like Exmouth.

9. public cynicism about the entire planning process because in this case government legislation is being forced through despite possible objections from EDDC. Inevitably this will lead to the reluctance of people to become councillors, whose role will be seen as ineffectual - a bad thing for democracy.

Full name: Michael Downes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

object to the plans for increased housing and industrial estates on greenfield sites in Exmouth. I object particularly to the plans for housing which are likely

1. to have a negative impact on a Special Site of Scientific Interest (the heathland in Exmo_20) [2. Related to other site]

3. damage to the natural habitat of mammals and other wildlife.

4. loss of good agricultural land leading to increased food miles because we have to import food instead of growing it in the UK.

5. increased risk of flooding caused by run-off because of concreting over fields.

6. increased traffic on narrow roads leading to traffic jams and collisions in the local area, all leading to gigantic bottleneck on A376 road to Exeter from Exmouth.

7. increased pressure on the currently insufficient transport infrastructure resulting in more and more potholes because of the volume of traffic including HGVs going to industrial sites).

8. increased pressure on the present poorly maintained sewerage systems resulting in inability to cope with more poo etc from houses, leading to polluted beaches which damages the tourism reputation of places like Exmouth.

9. public cynicism about the entire planning process because in this case government legislation is being forced through despite possible objections from EDDC. Inevitably

this will lead to the reluctance of people to become councillors, whose role will be seen as ineffectual - a bad thing for democracy.

Full name: Anthea Downes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted. The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population. I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and

brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it. The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it. The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps. So for environmental, conservation and heritage reasons, I object to Exmo_20. *** Personal details have been removed ***

-- *** Personal details have been removed ***

Full name: Michael Downes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The area is part of the major attractions of Exmouth on the eastern edge of the town. EDDC are intent on redefining the borders of the East Devon National Landscape: that is contrary to the Countryside and Right of Way (CROW) 2000 Act. Section 85 of the Countryside and Right of Way Act 2000 (as amended by the Levelling-up and Regeneration Act2 in December 2023) requires ‘relevant authorities’, in exercising or performing any function that affect AONBs in England, to ‘seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.’ It states that this is a 'statutory duty', not discretionary, and is a strengthening of the previous ‘duty of regard’.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Brownfield sites and land that is outside the National Landscape should be given priority on this matter.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the current plans to build 450 houses along with industrial and other

development as set out by East Devon District Council planning proposal 25/0002/EIA as Exmo_17. Increased traffic would cause further deterioration in the state of local roads plagued by potholes. Increased housing is likely to cause more flooding problems and will contribute to South West Water's continuing issues with sewage disposal.

Exmo_17 would impact an Area of Outstanding Natural Beauty (or National Landscape) which has local historical , environmental and farming importance.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anthea Downes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with para 16c, 32, 73b, 180d, 180e, 181, 185a, 186a, 186b, 188 and 191c of the NPPF Decmber 2023 and is unsound and not logally compliant. It also conflicts with policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The infrastucture has not been considered and the response of SW Water has been unsatisfactory. We have had problems in this area with sewage in the rivers Otter and Exe and the sea at Exmouth and Budleigh. The road which is proposed as the access point opposite the Archery Club is already very busy and it would prove extremely difficult for people to get to work in Exeter from Budleigh. There is also the year round influx of tourists most of whom come by car. The site and the road are also closer to Budleigh than Exmouth and our surgery and primary school are already suffering from inadequate facilities. With an enlarged population this would be insupportable. This area is next to Woodbury Common and the Pebblebed Heaths SAC/SPA/SSSI which are already under threat from illegal motorbike scrambling, and unrestrained dogs causing harm to the highly designated protected habitats and species. A precationary approach should be applied by the Competent Authority, the LPA.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

There is no way that this scheme can work unless the road is vastly widened, also damaging the environment. A contact at Friends of the Earth has told me that brownfield sites are being subject to 'land banking'. Surely these sites which are being hoarded could be built on instead of green fields which could be used for farming if the farmers are not continually being penalised for producing food for the country. This leads to importing food which is also bad for the environment. Brownfield sites would also tend to be closer to industrial areas where there is employment. We understand there is a need for housing but this seaside area is already a tourism hot spot. The coastal area below this planned development is also supposed to be protected, but would inevitably be impacted by this number of houses, cars etc.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: As above, this Allocation of Exmo_20 is in conflict with paragraphs of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with the Local Plan. It also is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance for mitigation. The greenfield Exmo_20 is in contravention of earlier reports of growing flood risk to Exmouth, and also has not taken account of the impact on existing wildlife sites and Local Nature Recovery Area, or any environmental and heritage considerations in the National Landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Michael Downes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. The area is adjacent to the Pebblebed Heaths and further housing and vehicle traffic would consequently have a negative impact on local wildlife. The area has a wilderness setting, particularly around St John's Church; increased artificial light from housing and street lighting would have a damaging effect in this regard. Increased housing is likely to cause more flooding problems and will contribute to South West Water's continuing issues with sewage disposal. Increased traffic is certain to cause damage to local roads which are already plagued by potholes.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Karen Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Sir/Madam,

I wish to submit a formal objection to the proposed site allocation Exmo 20 within the East Devon Local Plan, on the grounds that the proposal is unsound, unsustainable, and contrary to the principles of sustainable development as set out in the National Planning Policy Framework (NPPF).

1. Highway Capacity, Safety, and Lack of Mitigation

The existing highway network is already operating beyond safe and practical capacity, particularly during peak hours and the summer tourist season. Additional development at this location would significantly increase vehicle movements on a road network that is already congested, unsafe, and inadequately designed.

I have personally reported safety concerns to Devon Highways regarding the T-junction towards Exeter. This junction is unlit, poorly configured, and increasingly dangerous. I was informed that Devon Highways cannot currently afford to install traffic signals, which demonstrates that there is neither the funding nor the delivery certainty required to mitigate further traffic growth.

The allocation of Exmo 20 appears to rely on assumptions of future mitigation that are neither funded nor guaranteed. This conflicts with the NPPF requirement that development should only be permitted where the residual cumulative impacts on the road network are not severe.

2. Lack of Supporting Physical Infrastructure

There is insufficient supporting infrastructure to accommodate further population growth in this area.

Local wastewater and drainage infrastructure appears to be under significant strain. The visible decline in seawater quality is deeply concerning. The condition of the sea this year was such that I did not feel safe swimming. This is unacceptable for a coastal community and raises serious concerns about the cumulative environmental impact of continued development without necessary upgrades to sewage and treatment capacity.

No clear, funded, or deliverable infrastructure improvements have been demonstrated to accompany this allocation.

3. Education Capacity Constraints

Local secondary education provision is already at capacity. Exmouth Community College and Simonds College are full. Grammar school provision is extremely limited, with Colyton Grammar unable to accommodate all qualifying pupils.

As a result, my own child was forced to attend Torquay Grammar School, requiring an excessively long and unsustainable daily journey from Budleigh. This is not a reasonable or equitable outcome for families.

The allocation of Exmo 20 fails to demonstrate how additional demand for school places will be met. This is inconsistent with the NPPF requirement that development should be supported by appropriate social infrastructure.

4. Environmental Harm and Impact on Protected Landscapes

The site lies in proximity to the Pebblebed Heaths, an environmentally sensitive and valued landscape. These habitats are irreplaceable and form a key part of East Devon's ecological network.

Further development risks habitat fragmentation, biodiversity loss, recreational pressure, and long-term degradation of protected environments. This would conflict with national and local policies requiring the protection and enhancement of natural capital and biodiversity net gain.

5. Loss of Green Space and Local Character

East Devon's rural and coastal character is fundamental to its identity, economy, and community wellbeing. Continued greenfield development erodes this character irreversibly.

Exmouth has already experienced extensive recent housing growth. Infrastructure is now stretched to its limits. The cumulative impact of further allocations has not been adequately assessed.

6. Inadequate and Inaccessible Public Engagement

I also wish to formally object to the consultation process itself.

Budleigh Salterton has a disproportionately elderly population, many of whom are not digitally confident. The consultation website was extremely difficult to navigate, even for me. The process involved unclear references (e.g. SD01), excessive scrolling, and a confusing series of links before reaching the final response section.

When attempting to submit my objection on a mobile phone, the website crashed twice. The layout, terminology, and navigation are not accessible for many users, particularly elderly residents and those with disabilities.

This raises serious concerns about digital exclusion and whether the consultation process meets the standards of fairness, accessibility, and inclusivity required for meaningful public participation.

Furthermore, I only became aware of this consultation two weeks ago. Communication to local residents has been inadequate, especially given the scale and long-term consequences of these proposals.

Conclusion

The allocation of Exmo 20 is unsound because:

- The highway network is unsafe and at capacity
- No funded or deliverable transport mitigation exists
- Sewage and drainage infrastructure is inadequate
- Schools are already full
- Sensitive habitats are at risk

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

- Greenfield land is being lost unnecessarily
- Public engagement has been inaccessible and poorly communicated

For these reasons, I strongly object to the inclusion of Exmo 20 in the East Devon Local Plan.

Yours faithfully, *** Personal details have been removed *** Budleigh resident

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo-20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Karen Drodge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

OBJECTION Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo20 from local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Colette Dumortier

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: My main concern is about the protection of the Pebblebed Heats (migration, nesting, protected fauna and flora, animals, lights, sound, predation, disturbances...) And of course all the common infrastructures as schools, shops, sewage.... But also the number of buildings and then sewage, electricity, road safety, traffic,...

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Lo Move the settlement boundary from the Pebblebed Heats

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Brenda Duplock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Local Infrastructure is already stretched this development will strain local resources - potentially to breaking point. There is also a high impact on the local wildlife.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Dustan

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Being adjacent to pebble bed heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “it was not possible to screen out a likely Significant Effect for other units within the EDPH SAC and SPA “ and the plan HRA states “ there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is as yet , no means to mitigate or address the risks”

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXmouth 20 from the local plan. Do not access the site from via B 3179, Reduce the size of EXmouth 20 Move settlement boundary away from Pebblebed Heaths Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Abi Dymond

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am emailing to express my views as part of the consultation on the East Devon Local Plan, having found the online system quite difficult to navigate, as it wasn't clear where my comments would best fit. I am writing to express my concern at the sewage system here at Exmouth and the fact that it is not fit for purpose, with our seas regularly polluted. This is not only sad to see, it poses real damage to Exmouth's future as a tourish town. Therefore as part of the plan I would like to urge you to take all actions within your power to work with SWW and others to a) upgrade the current sewage system so that it is fit for purpose and b) until that is done, avoid doing anything that would put extra demand on that system, as it simply does not have the capacity to cope at the moment, never mind with additional demands (such as housing etc).

Thank you for the opportunity to take part in the consultation and for all your hard work protecting East Devon!

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There are a lot of cyclists locally, who either cycle for pleasure or as a commute to remove pollution and cars from the road. This development will make those cyclists feel more vulnerable from the increased pollution and number of cars and may decide to drive themselves - further adding to the traffic volume and consequences.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for locals to be heard.

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for locals to be heard

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for locals to be heard.

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. The road junction at the halfway house is already gridlocked at many times of the day. It will become virtually impossible to exit with the additional cars - having an impact on everyone in the area and knock on impacts on work efficiency, pollution etc.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: to have local voices heard

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for locals to be heard

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: scrap the proposal to build here

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for local voices to be heard.

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then

the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for peoples voices to be heard

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for local voices to be heard

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: if the development goes ahead for it to be significantly ie no greater than 25% of the suggested size and the buffer to be increased to 1000m.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for locals to be heard

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European

Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: locals voices to be heard

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: stop Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: for the voice of local people to be heard.

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There is not the sewage capacity in the area to support increased housing of this kind. We have raw sewage being pumped into the sea and rivers in Exmouth and Budleigh. There is no way that more housing should be allowed to happen when we can't manage the services for the housing that we have and until the sewage management is resolved this should be put on long term hold. Currently sewage from Budleigh is being taken by tanker along the road to Exmouth and poured into the ocean there - before being washed east back to Budleigh. Counsellors need to get a grip of this and stand up the pressure that they are being put under to build. We need to develop brownfield sites and small scale infill builds not huge developments like this.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Stop pursuing Exmo_20 until sewage issues fully resolved for the long term.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The voices of the locals are not being heard.

Full name: Sally Eade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Shear volume of houses is unreasonable for this site - it will turn Exmouth and Budleigh into a 'super town' but without the infrastructure to cope. The pebblebed heath site will be impacted negatively but increased number of people using it - if there are 4 people per household this is an additional 2800 within close proximity.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan completely.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I feel that the local community is not being listened to in their objection to this huge development.

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Brian Eastwood

Other party name (if relevant): Brian Eastwood

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Exmo_20 bus too many homes without improvements to sewage systems and would mean a significant increase in school and medical provision which does not appear to be happening. These homes should not be built in an area of outstanding natural beauty anyway

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Gillian Eastwood

Other party name (if relevant): none

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 206 of the December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (Grade 11* listed) will have significant adverse effects on the remote, tranquil surroundings of the Church and Churchyard. The area around the Church and surrounding buildings, a Medieval Saxon Settlement site, is characterised by dark skies and a sense of remoteness; a 'Wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Gillian Eastwood

Other party name (if relevant): none

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 & TR03, and, therefore, unsound. It also conflicts with paragraphs 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmouth_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am deeply concerned about the implications of this project. I was born and raised in Exmouth and over the years it has grown exponentially. We do not have the infrastructure to cope with more people, let alone our sewers which are already way above capacity. I am also heartbroken that you plan to surround the beautiful St John In The Wilderness Church with housing. I'm just lost for words and those that probably will not even be looked at or taken into consideration. Absolutely shocking!

Full name: Chris Edser

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 700 homes = approx 2000+people and 1400 vehicles. Where are the supporting plans for the new dentist, doctors clinic, school, road and infrastructure upgrades, traffic lights position? Without new supporting services, 700 homes will overwhelm the existing services and infrastructure.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, Do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kathleen Ellett

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove site from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Kathleen Ellett

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Kathleen Ellett

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce size of site
Do not access from B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Kathleen Ellett

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Do not access site from B3179 Site further away from Pebblebed heath

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant.

The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan.

The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound.

The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan.

Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound.

In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan.

The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery

Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan.

A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it.

HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the

proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan.

There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland

SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths

SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Below are all the appropriate objections against building 700 new homes in east Devon , budleigh area / our home .

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA

has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Lucy Elmslie

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I want to raise an objection to the proposal to create a road which cuts directly through the Budleigh Salterton cycle path to Salterton Road.

The cycle path is a vital resource for local residents. Not only does the pathway give access to an area of natural beauty it is used by hundreds of people per day for walking, cycling and dog walking. Children are taught to bike ride on this pathway. Race organisers use this cycle path for events on a frequent basis. Disabled residents from the nearby properties use the pathway as an easy route to access with mobility scooters. This is the main route for people like myself who do not live close to the seafront and do not have easy access to other places to exercise. Personally I suffer from an anxiety disorder for which I take fluoxetine medication and walking this route with my dog is vital for my mental wellbeing when in the past I have had severe struggles with even being able to leave the house.

If a road is created to intersect this pathway it will be a huge disruption to all of these activities. Runners will no longer be able to use the pathway for events and races and will also have to pause their run to wait for traffic, I personally would worry about being able to walk my dog off lead for fear of her running into a road and there are no other nearby routes for off lead walking, parents will have to closely monitor their children for fear of traffic, bike riders will also be disrupted from travelling the route to Budleigh Salterton and these people are our towns workers who need this route to go to work.

All of these concerns are practical concerns but there will also be a huge impact of the wildlife in the area and pollute the natural beauty of the area. Birds, squirrels, foxes, voles which are all present along this cycle path will now be at risk from traffic.

There are already roads accessible without ruining this area. Castle Lane already links to Salterton Road and so the creation of a new road is unnecessary, disruptive and destructive.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maxine Else

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Maxine Else

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

Full name: Maxine Else

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing

people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Maxine Else

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be

required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Maxine Else

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I believe EDDC do not hold the uniqueness of the Devon Countryside in the regard it should be. These areas are precious and house development should be facilitated in brownfield area/regeneration of excisting property and close to road networks.

Full name: Lynne Erskine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I'm writing to object to the beautiful fields being destroyed by building houses . I walk across the fields almost every day and have done for years . It's so beautiful there and the home to so much wildlife. We need to save these special places for future generations. We've been lucky . Don't take this away from future families . The old railway line is used by so many .. runners , cyclists, walkers and dog walkers . Think about the future

Full name: Elizabeth Everett-Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To
East Devon District Council, Local Plans Team

I wish to strongly object to the Exmo_20 plan. I think it should be at the very least reduced in size, and the proposed settlement boundary moved further away from the Pebblebed Heaths. Reducing housing number and concentration of development by moving further southwest would allow a greater rural buffer between it and the Heaths.

Also this proposed site for Exmo_20 would increase the need for car travel. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.00 miles from Exmouth. Exmo_20 settlement would overwhelm the Budleigh Salterton facilities, e.g. parking, medical services, sewage disposal, and the topography does not show potential options for cycling and walking.

Sincerely,

*** Personal details have been removed ***

Full name: Carole Evershed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to oppose this proposed development. I am very much aware that more housing is required and indeed if I believed that the majority of these proposed houses were going to be social housing one might be more accepting of such a development although the environmental concerns would of course still remain.

Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I am writing to oppose this proposed development. I am very much aware that more housing is required and indeed if I believed that the majority of these proposed houses were going to be social housing one might be more accepting of such a development although the environmental concerns would of course still remain.

Full name: Melanie Farrant

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing as a resident of Exmouth to formally oppose the plans to build houses on the area known as The Lawn, off Higher Marley Road. This area is home to endangered species and a number of ancient trees, and forms both a physical and environmental break between the growing town of Exmouth and Woodbury Common. Additionally extra traffic on that road would be beyond its capacity.

I chose to move to Exmouth 21 years ago because of its character which is slowly but surely being eroded and replaced with something generic and bland. I have seen huge degradation in the roads, sewage, and maintenance of the town and believe that the council should be looking to rectify this, not extend the town further and place additional burdens on an already overstretched infrastructure; as well as making every effort to preserve what remaining character the town has and protecting the rural belt and its habitat and wildfire.

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The LPA has tried to retrospectively change the Site Selection Methodology to justify Exmo_20. The SSM May 2022 is the one used for the Regulation 18 process, not the Dec 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. The original May 2022 version, used for the regulation 18 stage has wording that does not allow Exmo_20 to be selected.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I wish to hear at first hand the rationale behind site selection beyond, its a big space and it just adds a bit to Exmouth which currently seems to be the explanation.

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proximity of the site to Budleigh Salterton has not been considered because it will be the closest shopping area and facilities such as doctors, library, garages, and recreation opportunities. Parking is limited, opportunities to walk or cycle are not feasible given the nature of the highways. Policy TR01 clearly states the preference for walking or cycling as the natural first choice which are not feasible here.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Consider the impact on Budleigh that has so far been ignored completely. Reduce size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To give my views of the non sense of this proposal

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The consequences for water run-off from a site whose location is higher than Exmouth seem to be ignored in a cavalier manner. Impermeable surfaces, roads/paths/roofs will rapidly accelerate run-off placing strain on the existing water courses and leading to flood potential. Green field sites mitigate flood risk, urban sites advance flood risk. Nature provides a natural sponge, urban structures remove that effect. Modern floods are not just the consequence of heavier than normal rainfall but also more artificially created impermeable surfaces and rapid drainage systems overloading watercourses. The Withycombe brook will require a strategy that compensates for the inevitable added flow as a consequence of Exmo_20. It is surprising that at these times where climate change is becoming a reality there is so little regard for the changes to hydrological systems such proposals will produce.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Develop a strategy, funded and in liaison with other responsible bodies for water management to avoid flooding in Exmouth. Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To hear at first hand how planners consider it sound to create a potential flood risk.

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The plan fails to address issues of ecological continuity by fragmenting habitats and destroying corridor like areas that enable the movement of species and destroying many ancient trees and areas of woodland that contribute so much to our wellbeing and providing ecological diversity. Hedgerows are simply dismissed as expendable. The value they add is enormous to the diversity of wildlife and flora.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size by at least 60%. Add to the floral diversity and pay far more regard to what the landscape can offer without destroying it by seeking greater profit. Short term gain, permanent loss. it is that stark.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I wish to hear first hand how planners justify such ill thought urban expansion

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 ignores the value of heritage in the way in which the St John in the Wilderness church have its setting completely changed with a blatant disregard for the essential qualities of tranquility and calm. It is so disappointing that planners can so permanently ignore the need for spaces such as that provided by the church and its surroundings just to meet a target!!!!

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size is essential and buffer the area in the vicinity of the Church. Better have the courage to say we have this wrong and reconsider the whole manner in which targets are to be met looking at the wider consequences of making Exmouth such an awful example of how not to plan expansion.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To listen at first hand the rationale for this awful example of yes there are fields with nice views where we can sell houses easily so lets build them then tell people not to be NIMBY like.

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The traffic generated from 700 new homes each with at a conservative estimate 1.8/2 cars is highly significant but added to the fact the the B3179 is a narrow rural road means that for safety reasons alone a considerable highway improvement scheme would be required paid for by? Has this been quantified to any meaningful extent? Consider the junction between the B3179 and Hullum Road which is already congested at peak times, together with the B3180 junction with the road to Woodbury where there are frequent long delays at this dangerous spot. The roads in their current state are simply inadequate. Where is the joined up thinking? How will more cyclists manage on roads designed for small cars with no cycle lanes in the vicinity and none planned. Footpaths for pedestrians to access bus stops, and the thought of buses on the B3179 or B318?

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Redesign the road system including public transport. Was the Ronda link road designed with all these new proposals in mind , definitely not. it is an awful place to locate 700 homes without seeing the total picture of the consequences which will be so damaging.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Too many people, too close to the Pebblebed heathlands will lead to significant and highly damaging degradation of the ecosystem. The very quality that makes the environment as attractive will be lost for ever. It will be impossible to restrict numbers and the behaviours of people on the heathlands. There is a totally inadequate monitoring or controlling of behaviour at present and many do not comply to guidance such as dogs on leads, no dogs in Squabmoor reservoir, no motor bikes, leave no litter. This is with no great numbers of houses right on the edge of the pebblebeds.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The 400 meter buffer is totally inadequate and seems a 'sop' allowing planners to say look how carefully regarded the environment and protected it. From 700 homes, people, and all the accompaniments that brings.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The damage to the pebble bed ecosystem would be permanently damaging. Such a precious environment cannot be adequately protected by a mere 400metre buffer zone from predation by cats, dogs, humans cycling, motor bikes. It is nonsense to believe it will be adequate. The heathlands are a small area of great significance with species such as the nightjar, dartford warbler, dragon flies, lizards, butterflies, moths, frogs, toads, snakes not to mention the rich flora. All this threatened by ill judged urban expansion because it meets a target!!!!

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce size by at least 60%. Increase the buffer zone to at least 800 metres. reconsider road access and the unsuitable proposal that takes traffic to very margins of the heathlands.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To have my voice heard.

Full name: Roger Fetherston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 represents a large urban extension set on the margins of Exmouth, within a mile of Budleigh Salterton, adjacent to an invaluable set of heathland habitats recognised nationally as significant, within an infrastructure already unable to adequately cope with water/sewage systems, with road access totally unsuitable for what would be probably another 1250 vehicles at least, with no pedestrian access to nearest shops. Exmo_20 is an example of the very worst urban planning. It is simply an expedient to meet a 'target' because it is said there is no where else. What logical reason is that? The environmental damage as admitted has not been quantified with habitat loss and disturbance highly damaging. Consider the number of dogs, cats and human interference that will permanently damage such a fragile ecosystem as the pebble beds.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

The very qualities you, as a council, and we as residents value is threatened here. Exmo_20 is too large by far, it is too close to the heathlands, has inadequate roads and should be honestly reviewed. It is too significant to just meet a target. Please take this opportunity to step back and consider how this would change the environment for ever with nothing positive to offer other than ticking a box and ignoring public feeling. Site access via the

B32179 is completely unsatisfactory. The road was never built or designed for such a level of traffic as would result from these proposals.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I believe my voice should be heard and I wish to hear at first hand justification for this ill-judged and highly damaging proposal.

Full name: Sadie Flather

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17/Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please note I object to all the future housing sites/industrial sites planned around and near Exmouth, Woodbury and Lymptone and want you to stop the building of a huge estate and industrial buildings on our protected Area of Outstanding Natural Beauty (now known as 'National Landscape') on the edge of Exmouth.

(1) Large housing estates should not be built on National Landscape or on or near Areas Of Outstanding Beauty.

(2) Building on land away from the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes.

3) The exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users.

4) Already sewage problems at Plum Park are known and toilets in the town are filling up bubbling with water when rains heavy

More houses is always detrimental to wildlife. Added stress for humans lives as roads, places become gridlocked and the plumbing/sewage facilities cannot cope with more people living in and around Exmouth.

Full name: Marcia Fletcher

Other party name (if relevant): And for Kingston Road Community

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I write to express my deepest concerns for the proposed development of over 400 homes at the site known as EXMO17.

The proposed site is National Landscape land and as such is national parkland.

As well as being national parkland the siting of any housing development in this location is totally unsuited.

1. There is no infrastructure support in place and especially sewage capacity. As a resident of Exmouth for 20 years i have witnessed the increasing pollution by Southwest water of the discharge of sewage into the sea EVERY TIME IT RAINS for hours and hours. As a cold water swimmer all year round, the available times for swimming in clean sea water has drastically reduced and especially since other housing developments have been built ie Plum Park which shares the same lack of capacity of the sewage infrastructure.

2. Road congestion in Exmouth with its one road in, one road out has again dramatically increased and if EXMO17 and EXMO20 developments are built, several extra hundreds cars will further add to the congestion problem. There is limited capacity to accommodate extra vehicles. The exit from the proposed development would further add to congestion and there are clear safety issues.

3. It is not clear who all these proposed houses are for? Already we have two new very large developments at Dinan way and 100s of other existing houses for sale in and around the town. Are they being targetted to second hime owners? Councils from other UK counties wishing to off-load problem tenants such as what happened at Newcourt? We dont need more pressure on our limited social services.

4. There are no NHS dentists in the town, GP surgeries are full and Exmouth has limited employment opportunitues.

It appears that greed us fuelling the sell off of these areas of natural beauty in the surrounding area around our town. Short term gain for long term problems. There is no consideration by EDDC to take into account the quality of life that is threatened by the development if these sites.

The building companies do not care - once they have had their money, they will have no concern about the damage they have created sanctioned by EDDC. Who will deal with the flooding, the extra sewage in the sea, the loss of natural habitats for the nature they destroyed. Will EDDC provide compensation to residents for the destruction of the right to enjoy living in Exmouth? What funds are being set aside for claims post house building? Are developers being asked to set aside sums for the ongoing damages their developments cause or will the town and new Unitary bodies have to pay compensation and soend tax payers money mopping up the mess?

These proposed new developments are not suitable for our town and its high time EDDC pointed this out to this disasterous government which is clueless.

Its up to EDDC to say no and accurately present the reasons why no further building of more houses should go ahead.

Full name: Richard Foulkes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to register my objection to the proposed/possible Exmo_20 development. I am a relatively new resident in Budleigh Salterton and yet I can already tell from my experience;

- Population growth in East Devon is running significantly ahead of the South West and UK averages (2011 to 2021 growth of 13.8% compared to 7.8 and 6.3% respectively for S West & UK). While recognising that this puts pressure on you as planners, it does not mean that developments should be allowed to proceed at the request and profit of property developers without there being especially strong planning measures to protect the area's SSI & AONB, World Heritage categorisation and unique natural beauty and ecosystems. You need to be safeguarding that for future generations and not be in an apparently zealous rush to encourage further population growth.

- I see no evidence in the Exmo_20 proposal that proper consideration has been given to sewage infrastructure. The River Otter is very polluted, primarily due to upstream housing developments which have been carried out without adequate development of the sewage infrastructure. It is in the worst 20% of rivers in Devon & Cornwall for pollution. Prior to Christmas there was the ridiculous scenario of BS sewage being taken to Exmouth by tanker, only to then be pumped into the sea anyway due to stormwater overload. There should be no further developments until this basic infrastructure is sorted.

- The roads to Exeter , where presumably most of the Exmo_20 residents would be working, are in a poor state of repair, badly potholed and endless delays due to road closures at Woodbury. The high St road surface in BS is an awful state . Many new residents will come here to shop. Again, your plan appears to not address the need for the existing infrastructure to be improved.
- You will be aware of the proximity of the development to the Pebblebed Heath . This is a priceless ecological treasure that is being put at severe risk , with the buffer zone of only 400m appearing to be completely inadequate.

I would strongly advocate that the Exmo_20 development be shelved , or at the very least be delayed until all the existing infrastructure problems are fully resolved and other alternatives (to compromising the ecosystem) have been exhausted.

Thank you for your consideration .

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The destruction of the extensive bat, badger, and slow worm habitat, protected agricultural hedges, the two dozen mature oak trees (bordering the cycle path in the middle of Exmo_17), will never be able to be mitigated locally, as all the land nearby is earmarked for development or being farmed. There is nowhere else in Exmouth that combines these habitats with the public access, sustainable transport link (cycle path) undeveloped open space with footpaths, dark skies, and clean air. It is a huge draw to visitors who come to this exact spot in their thousands every year from the nearby caravan site, from Exmouth via the cycle route, and from Budleigh at the other end of the cycle path. This is a unique environment which is not heathland but valuable top grade farmland being managed in a way which gives habitat for hundreds of species. In order to comply with 30By30 and multiple environmental commitments which EDDC and the Govt have committed to, the destruction of this National Landscape Site is a backward step and will contribute to not just flooding locally, but climate change and species extinction in the south west. The bird life in the protected hedges is extensive and varied, and the bats living within this site (and badgers in the ground underneath it) are protected. Environmental commitments must be respected and land found elsewhere. To destroy this area will cause a huge drop in visitor numbers which will affect tourism in this area and people's livelihoods will be adversely affected. Why would people visit a housing estate on holiday? They will go elsewhere.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_17 from the local plan and substitute with land not within the national landscape nor which is home to protected mammals and invertebrates, to comply with 30By30 and the Govt's environmental commitments and those of this Local Authority.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The site Exmo_17 is visible from the Jurassic Coast World Heritage Site and is only 1km away from the Heritage Site. The World Heritage Site Setting is protected by the National Landscape designation and the CPA, which EDDC has tried to remove, however only the Secretary of State can change the Buffer Zone or Protections acting as a buffer zone, of a World Heritage Site. EDDC's unilateral actions in trying to lift the CPA from fields in Exmo_17 are not supported by the Jurassic Coast World Heritage Site's Articles of Inclusion and any changes to the site's setting, which includes the coastal land, puts the designation of the whole site at risk. The whole of Exmo_17 will be visible from the Jurassic World Heritage site, a site of global significance. It is an incursion of urban sprawl into an area covered at present by two levels of protection which EDDC is desperately trying to ignore or lift, to make up their housing target numbers. This is incorrect management of an incredibly important site, the Jurassic coast WHS,, and its surrounding protected area.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_17

from the Local Plan and use land not adjacent to, or forming part of the setting of, the Jurassic World Heritage Site.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The site allocations are flawed. If it is proposed to build within National Landscape, one can build on land outside the NL but with a view of it. The allocations do not stand up to scrutiny. Exmo_24 which has been refused for allocation, due to the aforementioned “view of the NL”, is not within the NL and could provide equally good transport links, it is only across the main road. The way in which some sites have been allocated and others not allocated in this Plan, makes no sense and therefore the Plan is terribly flawed. It is common sense to use up all the available land outside the National Landscape before you build in a protected area and plainly EDDC has not done that, nor does their rationale of “building in the public interest” stand up to scrutiny, as these houses will be unaffordable to anyone but homeowners in the southeast and home counties – a market which is already well served, here in East Devon, and which does not represent housing need, only location preference. There is no public interest rationale for building in a national landscape when the completed houses will be unaffordable to ordinary people living and working here.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_17

from the Local Plan and include Exmo_24 instead, or other sites not in the designated national landscape.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This is not just one development in a National Landscape, it is the first of many which will be proposed and marketed to south-eastern buyers as “situated within the National Landscape” so the houses will be a premium price. Very few will be affordable and certainly not so for local people, therefore local housing need will not be addressed. For this reason, the supposed overriding “in the public interest” descriptor/justification of building in a National Landscape does not apply, because the “public interest” is not to provide second homes or houses for southeast retirees, there are plenty of those on the market already. The public interest is addressing housing need for people in this County, on the housing list and for working families, and developing Exmo_17 will not do a thing to help those people, therefore it’s not in the “public interest”. Houses currently on the market are not selling, due to the extraordinary prices in East Devon, which will only be exploited by the developer when new houses are marketed as being “in a National Landscape”. This allocation was never in the public interest, it is merely a money-making scheme by the landowner, which will deprive future generations of our heritage.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXmo-17

from the Local Plan and purchase or allocate land outside the national Landscape so the premium price addition of being within a NL does not apply to any housing allocation which is supposed to address housing need in East Devon.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The site is wholly within a protected National Landscape. EDDC was never supposed to be able to list Exmo_17 due to its CPA and NL designations, but these have been treated as if they don't exist and the CPA is "lifted" from two fields within Exmo_17 which were specifically included by the landowner, the *** Personal details have been removed *** family, in the National Landscape (then AONB) in 1962. *** Personal details have been removed *** requested these two fields in Exmo_17 were included within the AONB during a consultation prior to the finalising of the AONB boundary in 1962. The *** Personal details have been removed *** family had good reason for putting those fields in the AONB (now National Landscape) and they insisted on drawing the "built area Boundary" at that exact point. This is just the first "domino" in a set of developments which are to be brought forward by *** Personal details have been removed *** Devon Estates which will tarmac the National Landscape from Liverton to Quentance Farm and take many hundreds of acres away from our East Devon National Landscape. This initial site, Exmo_17, is the site which will remove any idea of the National Landscape being a protected area and open the rest up to destruction. It is impossible to "sensitively build and landscape" 410 houses into a protected area, it will neither conserve or enhance it, the dark sky will be further eroded, protected species will be wiped out here, along with mature oak trees, protected agricultural hedges and the hundreds of insect bird and wildlife species living there. As the built area boundary advances this will cause catastrophic loss of habitat and turn this rural area into an urban one, destroying the character of the village, and setting up a Nature deficit which cannot be mitigated either in this area or elsewhere – there is no nearby space for nature mitigation which has not been earmarked for development. This site, the first of

many planned by the landowner, will effectively destroy the EDNL as a protected area and a space for nature in East Devon.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_17

from the Local Plan and use land outside the National Landscape, EDDC has compulsory purchase powers and a lot of land to choose from, before it should be developing within the NL. Just because the landowner seeks profit, does not mean future generations should lose our National Landscape forever.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There is significant flood risk to the valley as Exmo_17 is on a south-facing slope which extends downwards into the valley floor, where there is a polluted Brook already overtopping due to runoff from other developments, and where road and farm flooding is taking place right now. Fast flowing water comes down the valley on the red clay soil and apparently has not been mitigated properly from prior developments, as it is causing serious flooding and bogging of farmland, private property, the graveyard, and other sites on the Allocation List. It is obvious one cannot build at the top of a valley without rendering the land downhill impossible to develop and without affecting several Listed properties, including a 1000-year old Church and its graves, several thatched cottages and a listed farmhouse. The water runoff from huge developments does not run tidily into ponds – the sheer weight of the developments compresses the soil, makes it less permeable to water moving through it, and runoff increases from the vast tarmacked areas, driveways, roofs, and road drains. All of this will go down the valley towards a Brook which is over capacity right now, running next to homes where people live, and miring ground which is also up for development or where people are trying to farm.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_17

from the Local Plan and find the necessary houses from a part of East Devon not within the National Landscape and which would not cause flood risk downhill.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Peter Freat

Other party name (if relevant): Juliet Freat

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently

serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles

from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals,

preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable a

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo20 from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Christian David George

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its

duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Alison Gibbings

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: A large housing estate should not be built on National Landscape. This is destroying farmland, ruining family farms and wildlife. Once destroyed our beautiful landscape will be gone forever. As a tourist area we need to retain our countryside to allow tourism to flourish. Building on land outside the National Landscape would be cheaper, making possible a bigger percentage of affordable homes. Homes should be being built for current residents of exmouth to enable young people to leave home. Why not build pods as they are doing in Tiverton outside of the national landscape. These are cheap and small and would make affordable housing. This would not put extra pressure on our services as locals could buy and they already live here. We cannot accommodate more people from outside the area The exit from this site (Exmo17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users (children/elderly/cyclists/families/dogs). There is insufficient capacity on the roads to Exeter to deal with the current traffic without adding more *** Personal details have been removed ***

Full name: Hannah Gibbons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_17 should be removed from the Local Plan as it is unsuitable for development due to its location within sensitive landscapes. The site lies within the East Devon National Landscape and historically within the Coastal Preservation Area (until a recent underhand and strategic change of site boundary to exclude Exmo_17). Both of which are designated to protect the undeveloped character and scenic quality of the coastline and surrounding countryside. Development would result in irreversible harm to landscape, visual amenity, and the setting of Littleham and Exmouth, contrary to national and local policy. Early site assessments found Exmo_17 unsuitable and not a preferred allocation, citing landscape sensitivity, heritage impact, and pressures on local infrastructure. These constraints remain unaddressed, yet the site has been included primarily to meet national housing targets rather than on the basis of planning merit. The partial reduction of the Coastal Preservation Area to accommodate development further undermines established protections without sufficient evidence that the landscape or coastal character is no longer of value. Allocating Exmo_17 would therefore fail tests of justification, consistency with national policy, and sustainability, and would set a precedent for further greenfield development in protected areas.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: For these reasons [above], Exmo_17 is not a sound allocation and should be excluded from the Local Plan.

Full name: Roger Gibson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: It follows that Exmo_17 must be removed from the Local Plan. This is confirmed in a statement concerning Exmo_17 by Natural England:

Statement by Natural England regarding Exmo_17.

In this instance, we would draw your attention to the National Planning Policy Framework (NPPF), the East Devon National Landscape's Management Plan, the Environment Act 2021, and section 245 of the Levelling up and Regeneration (LURA) Act 2023. As regards the NPPF, sections 2, 13, 14, 15 and 16 are all especially relevant to Protected Landscapes. Notably, in this instance, s.15 paragraph 190 states that 'when considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest' (*italics added*). Also, in s.2 paragraph 11.d.i., where National Landscapes and National Parks are described as areas or assets of particular importance, the policies of which provide a strong reason for refusing development.

Alongside the NPPF is the strengthened Protected Landscapes Duty outlined in Section 245 of LURA 2023. This duty creates an obligation amongst public bodies and statutory bodies to 'seek to further' the purposes of Protected Landscapes whenever exercising

functions that affect land in these areas, a change to the previous wording which necessitated relevant authorities needed only to ‘have regard to’ these purposes. This change necessitates proactive measures be taken rather than the more passive action that preceded it. The purposes of National Landscapes are to ‘Conserve and enhance the beauty of the area’. Importantly, this statutory purpose is very similar to that which governs National Parks. Unfortunately, this is often not recognised, with the relevant authorities often viewing National Landscapes as a ‘secondary’ or ‘weaker’ designation. This misguidance is perhaps an unfortunate outcome of chronic, inadequate resourcing of National Landscape teams.

Similarly, the Environment Act 2021 established the statutory obligation to produce Local Nature Recovery Strategies (LNRS) as well as ensure a mandatory 10% biodiversity net gain for ‘almost all development in England’. In the first instance, Devon County Councils LNRS explicitly references the East Devon National Landscape as a key landscape for ‘Devon Special Species’, highlighting its importance in achieving local environmental plans.

Lastly, relevant authorities should pay significant attention to the National Landscape’s Management Plans when making planning decisions. These plans, reviewed and published every 5 years in accordance with the statutory obligations of the Countryside and Rights of Way (CROW) Act, are produced on behalf of the local councils that host the National Landscape, and the local council adopts the Management Plan as part of its own policy. Given that the Local Authority is the Local Planning Authority for planning decisions, and the National Landscape’s Management Plan becomes a council document, not an external recommendation or oversight.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objections to building on Exmo_17 (National Landscape).

The chapters stated refer to those in the Commonplace questionnaire.

Chapter 8: Housing Needs

The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high- end, bought by people from outside the area, increasing the local population and putting further stress on the inadequate infrastructure, particularly water supply and sewage disposal systems. There is no shortage of high-end houses for sale in Exmouth so no more are needed.

Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Chapter 11: Sustainable Transport

The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit.

A new roundabout has been projected plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, to catch two buses (passing every half hour) or a bus plus a train.

Chapter 12: Landscape

Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments. This land serves two nearby farms: losing these fields would put both farms in jeopardy.

EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***) has confirmed this in a letter to our MP, (***) Personal details have been removed (***) of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it. There are no 'exceptional circumstances' justifying building a large estate on this National Landscape: there is land outside the National Landscape that could be used instead. As far as being 'in the public interest' is concerned, the losses far outweigh the benefits. There is no reason to build the proposed industrial units on this land either. Logically, they should be built on the Trading Estate opposite, or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner, Clinton Devon Estates, has recently terminated the lease to a nearby farm of 84 acres of National Landscape pastureland adjacent to Exmo_17. Could it be that they are intending a domino effect, building further estates on our irreplaceable National Landscape? If the rumour is true, that the landowner has sold or will be selling the land next to Exmo_17 to Bloor Homes, it would confirm their confidence that the District Council will allow them to keep building on National Landscape in the future.

Chapter 15: Historic Environment

The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also a grade 2 listed farmhouse, Mountain Farmhouse, on the perimeter.

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast, which is one reason why these fields had Coastal Preservation Area protection until EDDC recently removed it, simply to facilitate building the proposed estate.

In conclusion, National Landscape is officially equal in importance and protection to National Parks. It follows that Exmo_17 must be removed from the Local Plan. This is confirmed in a statement concerning Exmo_17 by Natural England:

Statement by Natural England regarding Exmo_17.

In this instance, we would draw your attention to the National Planning Policy Framework (NPPF), the East Devon National Landscape's Management Plan, the Environment Act 2021, and section 245 of the Levelling up and Regeneration (LURA) Act 2023. As regards the NPPF, sections 2, 13, 14, 15 and 16 are all especially relevant to Protected Landscapes. Notably, in this instance, s.15 paragraph 190 states that 'when considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest' (italics added). Also, in s.2 paragraph 11.d.i., where National Landscapes and National Parks are described as areas or assets of particular importance, the policies of which provide a strong reason for refusing development.

Alongside the NPPF is the strengthened Protected Landscapes Duty outlined in Section 245 of LURA 2023. This duty creates an obligation amongst public bodies and statutory bodies to 'seek to further' the purposes of Protected Landscapes whenever exercising functions that affect land in these areas, a change to the previous wording which necessitated relevant authorities needed only to 'have regard to' these purposes. This change necessitates proactive measures be taken rather than the more passive action that preceded it. The purposes of National Landscapes are to 'Conserve and enhance the beauty of the area'. Importantly, this statutory purpose is very similar to that which governs National Parks. Unfortunately, this is often not recognised, with the relevant authorities often viewing National Landscapes as a 'secondary' or 'weaker' designation. This misguidance is perhaps an unfortunate outcome of chronic, inadequate resourcing of National Landscape teams.

Similarly, the Environment Act 2021 established the statutory obligation to produce Local Nature Recovery Strategies (LNRS) as well as ensure a mandatory 10% biodiversity net gain for 'almost all development in England'. In the first instance, Devon County Councils LNRS explicitly references the East Devon National Landscape as a key landscape for 'Devon Special Species', highlighting its importance in achieving local environmental plans.

Lastly, relevant authorities should pay significant attention to the National Landscape's Management Plans when making planning decisions. These plans, reviewed and published every 5 years in accordance with the statutory obligations of the Countryside and Rights of Way (CROW) Act, are produced on behalf of the local councils that host the National Landscape, and the local council adopts the Management Plan as part of its own policy. Given that the Local Authority is the Local Planning Authority for planning decisions, and the National Landscape's Management Plan becomes a council document, not an external recommendation or oversight.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It follows that Exmo_17 must be removed from the Local Plan.

Full name: Roger Gibson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

Thank you for your consideration.

Full name: Martin Gibson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I don't want to swim in poo! There have been many illegal discharges of unprocessed sewage into the sea of recent months. SWWA can't cope. What do you think will happen when you allow a thousand more toilets up hill from Exmouth? Do you honestly imagine that they will be able to provide the increased sewerage and treatment plants in a timely manner?

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please don't tarnish your (presently) good names by allowing this monstrous, unnecessary, Government inspired, development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Gibson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Access on to B3179 is terrible idea. This road is narrow, unlit, busy and has bends. Road safety will be highly compromised.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: No access from B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Martin Gibson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Too near Woodbury Common. Increased Dogs, predatory cats and people will decimate the fragile wildlife

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Minimum 0.5km border with B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Gibson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Flood risk to Exmouth with extra roads, driveways and roofs. Recall 1960, and extrapolate! Very poor drains here NOW. I don't trust SWWater to make the necessary upgrade - do you? Too close to wildlife on the common. Predation by cats, disturbance by dogs.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Smaller scheme At least 800m from Common

Full name: stefan gieron

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. ALLOCATION OF EXMO_20 IS IN CONFLICT WITH PARAGRAPHS 16C, 32, 73B- (Specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6 policies PB01, PB02, PB03, PB04, AND OL02 OF THE LOCAL PLAN. Being adjacent to the Pebble Bed Heaths SAC/SPA/SSSI the allocation relies on significant habitat and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "it was not possible to screen out a likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is an inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks" This site was selected on 03/09/24 (without option to reconsider), with the draft local plan approved on 11/12/24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30/01/25 HRA, contrary to CJEU "People over Wind". Furthermore selecting sites with no mitigation requirements requires clear justification when assessing allocations against Mitigation Hierarchy as set out in NPPF paragraph 32. 2. Allocation of Exmo_20 is in conflict with paragraph 16c, 32, 73b (specifically footnote 38+7) 180d, 180e, 181, 185a, 186a, 186b, 188+191c of the NPPF December 2023 and is unsound as not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 & OL02 of the Local Plan. A minimum of 400m adjacent to the Pebble Bed Heaths SAC - SPA-SSSI must be excluded from the EXmo-20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km (HRA 4.10), and considering the ground nesting NIGHTJAR is a qualifying feature of the SPA, so a clear and significant predation risk it

would seem precautionary for this distance to be significantly more than the pragmatic 400m (Underhill-Day 2005) currently proposed as it is recognised but just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling and walking which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level 3. Allocation of Exmo_20 is in conflict with paragraphs 16c,92, and 114b, 114d,180e +181 of the NPPF Dec2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 & PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto B3179, but to make this viable would require MAJOR uncertain and uncOSTed hi-way works, not confirmed by Devon County Council. Cumulative and in-combination effects on Regulations Assessment (18/11/25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to air quality", due to the primary access to Exmo_20 being onto the B3179 which would sent traffic along the boundary Pebble Bed Heath SAC-SPA-SSS1. Allocation of Exmo-20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo-20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE Exmo-20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Spencer Giles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am formally writing to object to Exmo_20 under the following grounds.

1. Damage to site of special scientific interest (heathland in the area, and important buffer between Exmouth and the Heath, and a wildlife corridor).
2. Loss of good agricultural land leading to increased food miles.
3. Increased risk of flooding and by run off, caused by concreting over fields.
4. Traffic jams with increased cars in area, leading to bottle necks on A376.
5. Insufficient sewage systems which already can't cope with capacity in Exmouth.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Spencer Giles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am formally writing to object to Exmo_20 under the following grounds.

1. Damage to site of special scientific interest (heathland in the area, and important buffer between Exmouth and the Heath, and a wildlife corridor).
2. Loss of good agricultural land leading to increased food miles.
3. Increased risk of flooding and by run off, caused by concreting over fields.
4. Traffic jams with increased cars in area, leading to bottle necks on A376.
5. Insufficient sewage systems which already can't cope with capacity in Exmouth.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Natalie Giles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am formally writing to object to Exmo_20 under the following grounds.

1. Damage to site of special scientific interest (heathland in the area, and important buffer between Exmouth and the Heath, and a wildlife corridor).
2. Loss of good agricultural land leading to increased food miles.
3. Increased risk of flooding and by run off, caused by concreting over fields.
4. Traffic jams with increased cars in area, leading to bottle necks on A376.
5. Insufficient sewage systems which already can't cope with capacity in Exmouth.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Carol Giles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ann Gillham

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The main access point of Exmo_20 is significantly closer to Budleigh Salterton than Exmouth, making Budleigh it's most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the preferred choice for residents of Exmo_20. This undermines the settlement hierarchy and would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the Local Plan. An alternative site to Exmo_20 for housing allocation should be selected, one which was deemed available, achievable & suitable in the HELAA. Exmo_20 would cause harm to the adjacent Pebblebed Heaths (SSSI/SAC/SPA/NNR) due to Exmo_20 being a supporting foraging habitat. Developing Exmo_20 is contrary to POLICY PB01 of the local plan and not in accordance with the mitigation strategy. Exmo_20 would cause harm to the heritage assets, most significantly St John in the Wilderness Grade II* listed church and churchyard, drastically altering the attractive rural setting for worship & burials which currently exists. This is contrary to POLICY HE02. Exmo_20 would have a detrimental effect on the adjacent designated wildlife sites and destroy the "tranquility, wildness and dark skies" of the countryside, which is contrary to POLICY OL01. Exmo_20 development would be in conflict with the Strategic Nature Area 368, fragmenting and isolating habitats and destroy wildlife corridors, contrary to PARAGRAPH 13.23 of the Local Plan. It would cause harm to irreplaceable habitats, veteran trees and species rich hedgerows across the site, contrary to PARAGRAPH 13.9. Exmo_20 is in conflict with POLICY OL09 and POLICY PB04 as the Habitats Regulations Assessment (30.01.25) states that there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA) such that the Plan fails the

integrity test. Development of Exmo_20 on heavy clay subsoil with ineffective soakaways, would exacerbate the already identified downstream flood risk along Withycombe Brook through Exmouth, which is already beyond its design capacity. This is in conflict with POLICY AR01B. Exmo_20 would increase the need for car travel and increase traffic congestion, in conflict with PARAGRAPH 11.2. The isolated location is unsustainable development as people would need to travel much further than 800m to existing key services and facilities, contrary to PARAGRAPH 11.6. It is too far (and too steep) from any town centre to use walking or cycling as their choice of transport. This is contrary to POLICY TR01.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: jason gillingham

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove EXMO_20 from the proposal

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: As a professional ecologist I can see a number of issues with the proposed EXMO_20 site. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. I endorse the existing and very well stated comments that follow: "The LPA appears to demonstrate a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for

potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would see precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed, as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significant greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape. As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the

East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6 policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. Clarke, R.T. (2007) 'What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*?' Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore

unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 20).... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development an associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified.

6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 and 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local

Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathway with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk are without yet considering current and future impacts from climate change. The greenfield Exmo_2 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been

demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking and cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, use for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below: criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are

incorrect, there is no justification, not least in the Mitigation Hierarchy assessment Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are o can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity an congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and

allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife- rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration o creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, an which is like;y to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment ha concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscape and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset fro development within its setting should require clear justification. Assets of the highest significance, notably....grade I and * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impact Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and

Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choice. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats. In addition the presence of Hazel dormice, a European Protected Species, throughout the woodland around Bystock Pools and by inference all linked hedgerows would be threatened by the introduction of domestic pets (particularly cats). There are no proven ways to prevent predation of dormice by domestic cats. What provision has been made for the Lesser horseshoe bat colony close to Bystock House? what will the impact be of reducing the immediately available foraging habitat for this colony.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Significantly reduce number of houses in EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of EXMO_20 and remove access to the B3179

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove access from B3179 and significantly reduce size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce number of homes in EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of EXMO_20 significantly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EXMO_20 should be removed from the local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) ... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan or as a minimum revert back to EXMO_20B

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring roundingErrors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove B3179 access and reduce size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from site selection.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Close access to B3179 and reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should be removed from the plan, failing that access to the B3179 should be removed.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) ... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce or remove EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan or reduce size back to EXMO_20B

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reduce the size of EXMO_20 significantly or remove it from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of EXMO_20 or remove site from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce size of EXMO_20 or remove it and focus development closer to public amenities.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce or remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce the size of EXMO_20 and take away access from the B3179

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) ... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EXMO_20 should be removed from the strategic plan in its entirety.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan or revert to EXMO_20B

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reduce or remove EXMO_20 from the strategic plan.

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EXMO_20 should be significantly reduced in size.

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EXMO_20 should be at least reverted to EXMO_20B or removed from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove access to B3179. Reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert EXMO_20 to EXMO_20B or remove from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 or significant reduce size and limit to EXMO_20b

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Massively reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce or remove

EXMO_20

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EXMO_20 should be removed from strategic plan or heavily reduced.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce or remove EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the strategic plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20
OR Remove access from B3179 and reduce.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 or if not possible revert to EXMO_20b

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 if this isn't possible then revert to EXMO_20B

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned ho

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Revert to 20b

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Move boundary from Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julia Gould-Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been

taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on

locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where

avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kate Grant

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This is an area of Outstanding Natural Beauty - not enough consideration has been given to this. Trees will be unnecessarily felled - thousands of years worth of history gone. Birds and other wildlife will be disturbed and their natural habitat removed. I strongly object to this area of Outstanding Natural Beauty being destroyed - EDDC have a duty to conserve and enhance this. The landscape and associated plants and trees act as a natural flood defence. If these are removed, so is natural drainage and flooding will increase. The town's infrastructure is not equipped for this massive development. Our sewage system is already not fit for purpose - the addition of 700 homes will only add to this. The same applies to GP Surgeries and Schools. There are not enough to serve Exmouth and Budleigh as it stands now. I fail to see the need for 700 additional houses when other local developments remain unoccupied. It is shameful to even consider destroying this area of beautiful landscape - to do so will deprive both current and future generations of this natural amenity .

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan - Leave the natural landscape and associated nature alone - You have a duty to protect it. Enough of it has already been taken to build homes that remain unoccupied.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jennifer Gray

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am writing to oppose the frightening plan Of 700 new homes being built near the Archery Club

Obvious objections include Pressure on existing Budleigh facilities Including Surgery Pharmacy Dentist School sewerage and High Street The surgery is barely running at the moment Through lack of doctors There are no NHS dentists The Pharmacy is overburdened The existing road to Woodbury Is dangerous as it is Large vehicles will ruin existing roads Our beautiful countryside will be ruined for ever

The East Devon salvo 'Area of outstanding beauty' Will become a myth

I appreciate that new homes are necessary But where are the homes for the public sector? A far more pressing concern

Will our local taxes go up To maintain this madness?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised

wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete the allocation

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to oppose the frightening plan Of 700 new homes being built near the Archery Club

Obvious objections include Pressure on existing Budleigh facilities Including Surgery Pharmacy Dentist School sewerage and High Street The surgery is barely running at the moment Through lack of doctors There are no NHS dentists The Pharmacy is overburdened The existing road to Woodbury Is dangerous as it is Large vehicles will ruin existing roads Our beautiful countryside will be ruined for ever

The East Devon salvo 'Area of outstanding beauty' Will become a myth

I appreciate that new homes are necessary But where are the homes for the public sector? A far more pressing concern

Will our local taxes go up To maintain this madness?

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete the allocation

Full name: Roy Greateorex

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It will significantly erode the buffer zone between the Pebblebed Heaths and the urban area to the south. Inevitably the increased population with its attendant cars, pets and recreational pursuits will adversely affect the natural habitat. I am also very concerned as to how the existing infrastructure will be able to cope with the increased traffic, water supply, rainwater runoff and sewage drainage, given the current situation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO-20 from the Local Plan Reduce the size of EXMO-20 Do not access the site via B3179 'Southern Wood Move the settlement boundary away from the Pebblebed Heaths Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Roy Greateorex

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

wish to lodge my objection to the proposed development of this combined housing/industrial units on National Landscape land. It beggars belief that such a proposal should be considered, let alone countenanced, on what is supposed to be protected status land - a valuable and dwindling resource. The development would seriously impact upon the existing cycle path/footpath between Budleigh Salterton and Exmouth as it would be bisected by the proposed road network. Additionally, shifting the rural boundary on the approach to Exmouth would increase the length of the suburban section entering Exmouth, thus spoiling further the scenic nature of this route and adding traffic hazards. Furthermore, increased traffic on often congested and definitely crumbling roads will sorely test the patience of the local population. What proposals and, indeed, guarantees are to be in put place to avoid any further strain on our woefully inadequate water supply and sewage systems? It is common knowledge that S.W. Water cannot today meet its obligations to the community - preventing and repairing leakages - so how will it cope with further development? Additional housing we may need but not before the infrastructure - schools, health care, sewage treatment etc. - is prepared for them. If it is decreed that we must create additional dwellings then repurpose empty buildings or develop brownfield sites, but hands off our green spaces.

Full name: Simon Griffiths

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: NPPF (2023) requires that plans set out contributions from development. However, not in the revised Infrastructure Delivery Plan (KSD - 001 (REV), nor anywhere else in the current Regulation 19 documentation is the necessary transport or other infrastructure, i.e. technical adequacy, safety and cost, considered in sufficient detail to show that Exmo_20 is deliverable. In particular the IDP does not consider the need for widening or otherwise safely upgrading the northern (B3179) route nor the southern access option via Dinan Way to meet predicted increases in traffic use. Similarly there is no discussion of how new utilities and drainage and flood alleviation will be provided, what adverse effects there maybe on the existing highway and drainage networks during construction, and whether the developer will pay, or not. Without considering such issues in reasonable detail there is no evidence that proposed Exmo_20 site is deliverable, particularly as compared with other site options for the proposed 700 new homes, sites where, whether or not they have yet been considered by EDDC, the existing area infrastructure may already be better developed and hence able to accommodate any new development. The policy in respect of Exmo_20 is this unsound in my view.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The

IDP should be revised provide the level of detail described in 2(b) above in respect of the Exmo_20 site to show that it is deliverable.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The IDP should be revised provide the level of detail described in 2(b) above in respect of the Exmo_20 site to show that it is deliverable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Traffic impact assessments, outline highway designs and infrastructure designs should be discussed with DCC etc and costed.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: In respect of Exmo_20 it does not show any evidence of detailed discussion with Devon County Council on highway matters nor with utility companies.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Holly Griffiths

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration

of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of

recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heath and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by

road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". -----

----- LIST OF POLICIES REFERRED TO IN SUGGESTED
OBJECTIONS (FOR YOUR REFERENCE ONLY) National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that

when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 170b states that development should not increase flood risk elsewhere Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international

followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states

that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Amanda Gulbranson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am genuinely concerned about the impact of this development, both on the existing town and infrastructure and current population, as well as the impact on the environment, the landscape and nature and the eco system. I do not believe that there has been adequate thought or planning, and that if this has been considered, no evidence forthcoming to demonstrate this about the impact of a significant number of new houses being build to an already expanding town- where existing development has still not been completed. The local secondary school is one of the biggest (the biggest) in the UK- and is already over-subscribed, with local children having to access places elsewhere (which requires travelling by bus etc) We have inadequate provision for GP and dental services, and congestion and commuting in and out of Exeter/ access to M5 is becoming increasingly difficult and taking longer, as – despite the new road layout linking dinan way to the Exmouth- Exeter road – there are still only 2 main routs in and out of Exmouth. In addition to this there is the obvious challenges of infrastructure around water and sewerage- with South West Water still providing no reassurance or a clear plan as to how this will be addressed for the current population, let alone significant grown. Access to the proposed site (Exmo_20) is also significantly restricted. This will create a bottle neck of traffic entering/ exiting the site (during development and when completed) via a current residential housing estate My understanding is that Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel. Whilst previous comments by developer have stated that many will walk/ take the bus (assuming new bus routes are possible / viable) many households now have 2

cars....and even if they don't use a car- there is a high likelihood that they will have shopping/ orders delivered – which will also increase traffic with access being through restricted sites and surrounding roads not able to support increased volume of traffic (as demonstrated recently where St Johns Road was used as a diversion- this quickly resulted in grid lock and large queues of traffic trying to exit the road onto Dinan Way. Due to access, the isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. If walking and cycling is to be encouraged, the current infrastructure for cycling needs to be significantly improved in order to achieve/ enable this (with current access to cycle paths from proposed location requiring access via busy road. My understand in that Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. As eluded to above- there is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (Nov 25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site's inclusion in the plan appears to be unlawful due to there being no reasonable scientific certainty presented for mitigation. For the several parts of my submission I acknowledge that I am drawing on information, and the wording, that has been discussed and shared locally. Life is busy with a family and working – but I feel incredibly strongly about the proposed development- and therefore felt it was important to submit my concerns and objection.....and that this in any form would be better than none at all in order to ensure the council are fully aware of the concerns: Noted that allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Exmo_20 lies next to Pebblebed Heaths . The mitigation strategy included in the plan states that “It was not

possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was identified September 2024, with the Regulation 19 draft Local Plan approved in Dec 2024 on the assumption that a mitigation strategy would be forthcoming; Sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. Exmo_20 site supports a huge diversity of wildlife, and the habitat is vital for the homes and foraging of the animals, birds and insects that inhabit this area already. Nature in the UK is in crisis, with more and more building encroaching on land. Mammals and birds include badgers, dormouse, firecrest, goldcrest, nightjars and bats to name but a few. The area also provides an important corridor between other woodland and farm land and the pebble bed heaths. Nature is vital for our (human) health too- with increasing studies to demonstrate this- therefore a healthy balance and careful planning needs to support this to protect this for future generations as well. Once it is gone it is gone and reversing a decision of this magnitude will be impossible. It is my opinion that The Exmo_20 allocation is hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” In addition to this the RSPB’s view states “ mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to

development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heathlands" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." Continuing with concerns regarding the environment and ecosystems; the allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heathlands SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heathlands and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local

Plan”. Objection 7. And finally, it is my understanding that Exmo_20 is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. I am concerned that these need to be corrected and reconsulted upon before any further discussion/ decisions can be made, as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I appreciate that

there is a need to include the building of more houses within local planning....but that this also has to be balanced with sensible consideration of appropriate sites. At this time, I do not think that Exmo_20 is a viable site to consider for inclusion in the local plan due to locatio, size and access of the proposed site, in addition to wider local infrastructure that is not currenly in place to support current growth. Limited access to the siter alone, given the number of proposed houses and limited points form Southern Wood and B3179 are inadequate and likely to causes significant disruption to current routes and environment, includingclose proximity to pebble bed heaths. Due to these concerns - as highlighted in 3B- I would proose that site Exmo_20 is currently removed from the local plan, or at best the size of the prposed site and dvelopment significantly reduced. In the future, is land use changes and access changes (in addition to strengthened and improved infrastructure of town) it may be appropriate to reconsider this.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: P. Hagerty

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Large housing estates should not be built on National Landscape. Building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. The exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users. (children/elderly/cyclists/families/dogs). The sewage system can't cope with the housing we already.

Full name: Lesley Hall

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to put forward my objections to the proposed development of site Exmo_20

1. It will destroy the wildlife-rich habitats including some protected species.

2. It will increase the risk of flooding in Withycombe brook, also...

3. With the increased pressure of water running down the stream it could cause landslides in residents' back gardens.

Please listen to the people that live around the proposed development site & take on board their objections.

We know & understand the damage this development will cause to this significant area. Thank you for reading.

Full name: Barbara Hall

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to strongly object to this above plan to build on this land. There are so many reasons why this should not be allowed and here are some of them: It is a Site of Special Scientific Interest and as such should remain untouched for the obvious reason that building in this land will cause untold damage to wildlife and the land in general. Traffic - the roads around Exmouth are gridlocked now so any more traffic will simply cause chaos during peak times and contribute to the pollution of the area so damaging health of the general public and lungs of little children. Flooding - obviously this risk will increase with building on concreted land that will no longer be able to absorb rainfall. Sewage - we already have a massive sewage overflow problem in Exmouth (beach closed after heavy rain/swimming banned/tourism affected etc etc) Exmouth does not have the infrastructure to cope with any more inhabitants. We will not have enough doctors' surgeries, schools etc to cope with the population already here. Both of us (***) Personal details have been removed ***) strongly object to this proposal.

Full name: Lesley Hall

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am listing my objections to the proposed development of site Exm_20 as follows:

Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats & Species Regulations 2017. The proposed development will destroy the wildlife rich habitats including some protected species.

The proposed second access to the South of the site in Southern Wood is wholly inappropriate & likely to be quite dangerous. Residents wishing to travel to Tesco's or Exmouth town or the local schools are likely to use this access. From Southern Wood they will need to enter Meadow View Road which is likely to cause congestion whilst trying to exit on to Dinan Way. Meadow View Road is not very wide & there is only room for single file traffic & with cars parked on the road there is already a need to be very vigilant when driving on the road. Children also play outside on their bikes etc. It feels like an accident waiting to happen. Meadow View Road cannot cope with the increase in traffic on this road if the proposed access goes ahead.

It will increase the risk of flooding in Withycombe Brook & the increase in flow of water from entry would cause more pressure & could result in landslides of residents' back gardens.

Policy OL01d states that development will only be permitted where it will not harm the aesthetic & perceptual factors such as "tranquility, wildness & dark skies" St Johns Church is a listed grade 11 building & is recognised for its architectural & historical significance. The surrounding area & St Johns road leading to the church should be left well alone.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please note these objections. If the development goes ahead as planned it will destroy this part of Exmouth & will be irrecoverable .

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths

SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Both EDDC and Commonplace have made participation in this so called Consultation virtually impossible, I am very keen that the Inspector hears from ordinary residents affected by this proposal.

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant.

The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Both EDDC and Commonplace have made participation in this so called Consultation virtually impossible, I am very keen that the Inspector hears from ordinary residents affected by this proposal

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Someone needs to listen to the public

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No one is listening

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This is such an important change to this natural area that the inspector needs to be well informed

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To have my views taken into account

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To have a voice

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To have a voice as although this is called a consultation it isn't

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: There are so many things that have not been taken into account to make this legally compliant

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To be heard

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
EXmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of EXmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to EXmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of EXmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The EXmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REmove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This proposal is wrong on so many fronts and no one has been listening

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Because I need to have views considered

Full name: Kerin Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: There have been 1110 comments for the previous Regulation 19 consultation and EDDC didn't take any notice and just carried on regardless. Many valid points were raised so I would like to speak to an inspector.

Full name: Linden Harris

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSi the allocation relies on significant habits and species mitigation which has not been shown to be achievable or viable. The plans HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks". Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (especially footnotes 38 & 7) 180d, 180e, 181, 185a, 186b, 188, & 191c, of the NPPF December 2023 and is unsound and not legally compliant. Allocation of of Exmo_20 is inc oncnflict with the paragraph 165 of the NPPF December 2023. It also conflicts witgh paragraph 3.6, policy AR01 (b) of the Local Plan and is therefore unsound. Exmouth is noted as having numerous significant flood risk pathways, with fluvial flooding in 1960, 1983 and 2012 recorded. Withycombe Brook currently has significant flood risk areas. It should be noted that the change in weather patterns as a result of climate change are increasing the likelihood and ferocity of flooding events with intense rainfall events happening with greater frequency and strength. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook, and flows through the mots populous wards o East devon. The LPA have not deployed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and service (2.3 miles to Budleigh Salterton and 4 miles to Exmouth).It is therefore an unsustainable location for development. The site would overwhelm the local villages and Budleigh Salterton and is in conflict with the stettlement hieracrhry. The plans do not take into account Budleigh Salterton by the LPA. Policy TR01 states

that walking/cycling must be the natural first choice for transport which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options unviable which is not apparent on the policy maps. The allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03 and therefore unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The best remedy would be to remove Exmo_20 from the Local Plan. Brownfield sites within Exmouth should be reviewed to address any housing needs before this greenfield site. If not in terms of modification the following would mitigate some of the effects. - Do not access the site via the B3179 - Do not access the site via the Southern Wood. - Move the settlement boundary away from the Pebbelbed heaths. - Revert to 20b as previously proposed.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

.Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To be informed, updated and to participate in person.

Full name: SARAH HATFIELD

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: my comments as below Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebbled Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebbled Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. my comments as follows: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church

(grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this fall within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: SARAH HATFIELD

Proposal:

5. Development in the Towns and Villages

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

following comments as below: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebbled Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebbled Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and

therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from local plan

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Full name: Andrew hatfield

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: My comments as follows: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebbled Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from local plan

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: . MY COMMENTS AS FOLLOWS: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188-figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebbled Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Andrew hatfield

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5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: MY COMMENTS AS FOLLOWS Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The sites and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: MY COMMENTS AS FOLLOWS: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebbled Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: MY COMMENTS AS FOLLOWS: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

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be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from local plan

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: my comments as below Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebbled Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebbled Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: my comments as below Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebbled Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebbled Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: . my comments as follows: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebbled Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebbled Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebbled Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Andrew hatfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: .

following comments as below: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebbled Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebbled Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and

therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. My comments as follows: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebbled Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: please remove Exmo_20 from local planning

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Fran Hawthorne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

This extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 800 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development.

The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round.

Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the

SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats.

By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Wes healey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The access arrangements need more clarity before being able to consider this site for allocation, specifically ensuring viable cycle and pedestrian access to local facilities

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Toni Heaslewood

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Please do not build on "The Lawn" Higher Marley Road. This is a Wood Pasture Priority Habitat. Living here are many endangered species. Ancient woods - some of the oldest Luccombe Oaks in the country. A stream would have to be diverted. This area takes the run off from Woodbury Common. If built on there will be flooding in Exmouth. There would be more traffic on Dinan Way and Woodbury Common too. Please do not destroy this very important land.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Delete Exmo_04

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Please do not build on "The Lawn" Higher Marley Road. This is a Wood Pasture Priority Habitat. Living here are many endangered species. Ancient woods -some of the oldest Luccombe Oaks in the country. A stream would have to be diverted. This area takes the run off from Woodbury Common. If built on there will be flooding in Exmouth. There

would be more traffic on Dinan Way and Woodbury Common too. Please do not destroy this very important land.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_04

Full name: Toni Heaslewood

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to Exmo_20 for environmental, conservation and heritage reasons. It would be a tragedy if it is allowed to go ahead. This part of Exmouth does not have the infrastructure to support the number of houses proposed. A beautiful area used by local people for walking and cycling would disappear. Many trees and habitats would be lost. My partner and I live in the immediate vicinity and would be horrified if this beautiful area of countryside was lost .

Full name: Paul Heath

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: To whom it may concern

As a longterm Budleigh Salterton resident, I wish to register my objection to the proposed site Exmo_20 in the strongest terms. Below I outline the specifics of my objections, outlining 9 valid reasons to oppose this proposed development.

OBJECTION 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear

justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

OBJECTION 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

OBJECTION 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

OBJECTION 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion

and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To whom it may concern

As a longterm Budleigh Salterton resident, I wish to register my objection to the proposed site Exmo_20 in the strongest terms. Below I outline the specifics of my objections, outlining 9 valid reasons to oppose this proposed development.

OBJECTION 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

OBJECTION 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with

paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

OBJECTION 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

OBJECTION 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

OBJECTION 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

OBJECTION 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

OBJECTION 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

OBJECTION 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also

conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

OBJECTION 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

Yours sincerely

Full name: Emma Heath

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: To whom it may concern

As a longterm Budleigh Salterton resident, I wish to register my objection to the proposed site Exmo_20 in the strongest terms. Below I outline the specifics of my objections, outlining 9 valid reasons to oppose this proposed development.

OBJECTION 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear

justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

OBJECTION 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To whom it may concern

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OBJECTION 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

OBJECTION 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

OBJECTION 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also

conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

OBJECTION 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

Yours sincerely

Full name: Jackie Hennesy

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_17

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the proposed Exmo_17 plan because: Large housing estates should not be built on National Landscapes. Building on land outside National Landscapes would be cheaper, making a bigger percentage of affordable homes. Exit from this site (Exmo_17) would create traffic chaos and the access road would go straight across to the much-used Exmouth to Budleigh cycle/footpath endangering users (child, elderly, cyclists, families and dogs).

Full name: Peter Hennesy

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I think that it is appalling that you think that by changing the name of this land from Outstanding Natural Beauty to National Landscape gives you the right to allow development to occur. The junction by McDonalds is bad at the moment due to get a lot worse. The popular Old Railway Track will be severed by an estate road The Local Doctors are busy enough without another 800 patients. The sewage problems are real and will get worse We all appreciate we need more affordable housing in Devon this development is NOT affordable to locals

Full name: Margaret Hiley-Payne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Access for cyclists and pedestrians direct into Exmouth. Main access being on a relatively narrow road. The local infrastructure is not sufficient to meet the needs of a 700 development. Impact on wildlife incl light pollution.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Too many to list!

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emma Hillman

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to object to the EDDC local plan for development on land off Higher Marley Road. There are already more than 1000 homes designated for building across a town that is already fit to bursting with traffic. This patch of land contains some of the oldest Luccombe Oak trees in the country and has an underground stream, both of which by themselves make it unsuitable for building on. Then on top of this the increase in people trying to use the already overflowing infrastructure in the town like roads, health services and school places. This country is already one of the most nature depleted in the world and the tidal wave of substandard new build developments is pushing it to the brink. Exmouth can't even cope with the current population, let alone another thousand properties. I was born and raised in Exmouth and am saddened by the changes in recent years.

Full name: Claire Hindle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Allocation of EXMO-20 in conflict of paragraphs 16c, 32 & 73b

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO-20 from local plan, reduce size, reevaluate impact on environment & flood risk

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Annette Hoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:

Exmo_20, Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Good morning,

I wish to object to the EDDC Local Plan which includes 700 houses at St Johns Road, 450 at Littleham and more to be added to Dinan Way.

As an Exmouth girl I cannot afford to buy a house in my own town as there is no affordable housing. It is constantly people from up-country moving down to Exmouth and knocking the prices up.

The GP Surgeries, Dentists and schools are finding it difficult to cope with the influx of new people to the area.

Sewage is struggling as it needs to be updated as too many people making demands on the system. The roads that are used constantly for the vehicles bringing building supplies damage the roads and cause potholes. Douglas Avenue the prime example.

There is also the damage that would be done to endangered species and there are many veteran/ancient trees on site. You will be damaging ancient woods and a stream, all to make more money and bring more people from up-country, while the locals have to move it.

Living in Littleham, it will be even more of a nightmare if more houses are built there.

A concerned local

*** Personal details have been removed ***

Full name: Sarah Hogg

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Sir

I am writing to object to the possibility of new houses being built on land at Higher Marley Road, Exmouth. The area of land has several ancient trees on it and to tear them up would be heartbreaking. They must be well over 100 years old.

Government guidelines, suggest that for our mental health and well being being outside and walking in areas that bring calm and peace is so beneficial to us all. Taking this away would be a detrimental decision in my view.

Exmouth is an over developed town and is unable to provide enough facilities for the amount of families they already live there. The traffic and parking can be stressful and the character of this lovely little seaside town will be gone forever. It's just to big.

Please think carefully about the decision to allow yet more houses on such a beautiful area. Exmouth is being ruined by developers greed and got the sake of those who live nearby I am strongly objecting to this piece of land being destroyed for developer greed.

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

So much of our beautiful spaces in Eadt Devon has gone forever and replaced with small, cramped in and poorly built houses that we, who live here, have to look at every time we pass by. Once it's gone, it's gone.

Please think carefully before allowing this to happen.

Kind Regards

*** Personal details have been removed ***

Full name: Dr George Hooper

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paras 16c, 32, 73b, 180d, 180e, 181, 185a, 186b, 188 and 199. I believe it is unsound and not legally compliant. As the site is adjacent to the Pebblebed Heaths SAC/SSSI/SPA the allocation relies on significant habitat and species mitigation, which has not been shown to be achievable or realistic. The mitigation strategy states "it was not possible to screen out a likely Significant Effect for other units within the EDPH, SAC and SPA." The plan HRA also states "there is inherent conflict in the growth proposed in the Plan, which would exceed threshold levels and there is no means to mitigate or address the risks." The site was selected, and the draft plan approved on the assumption that there would be a mitigation strategy forthcoming. It must also be noted that the proximity of the site to the Pebblebed Heaths SAC/SSSI/SPA gives a clear and significant predation risk for the ground nesting Nightjars, as well as an obvious impact from walkers, dogs etc which would cause heavy disturbance to this crucial nesting area. Exmo_20 is also in conflict with paras 92 and 109 of the NPPF December 2023 and policies TR01 and TR03, and is therefore unsound. The limited access arrangements would very significantly increase the need for car travel from the main access point proposed on the B3179 to access services and facilities, being 2.3 miles from the centre of Budleigh Salterton by road and 4 miles from the centre of Exmouth, and is therefore an unsustainable location for development. The site would overwhelm Budleigh Salterton, which has not been taken into account by the LPA. Policy TR01 states that walking/cycling must be the natural first choice for transport, which will be impossible in this case

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Carole Hooper

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The main access point of Exmo_20 is significantly closer to BudleighSalterton than Exmouth, making Budleigh it's most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the preferred choice for residents of Exmo_20. This undermines the settlement hierarchy and would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the Local Plan. An alternative site to Exmo_20 for housing allocation should be selected, one which was deemed available, achievable & suitable in the HELAA. Exmo_20 would cause harm to the adjacent Pebblebed Heaths (SSSI/SAC/SPA/NNR) due to Exmo_20 being a supporting foraging habitat. Developing Exmo_20 is contrary to POLICY PB01 of the local plan and not in accordance with the mitigation strategy. Exmo_20 would cause harm to the heritage assets, most significantly St John in the Wilderness Grade II* listed church and churchyard, drastically altering the attractive rural setting for worship & burials which currently exists. This is contrary to POLICY HE02. Exmo_20 would have a detrimental effect on the adjacent designated wildlife sites and destroy the "tranquility, wildness and dark skies" of the countryside, which is contrary to POLICY OL01. Exmo_20 development would be in conflict with the Strategic Nature Area 368, fragmenting and isolating habitats and destroy wildlife corridors, contrary to PARAGRAPH 13.23 of the Local Plan. It would cause harm to irreplaceable habitats, veteran trees and species rich hedgerows across the site, contrary to PARAGRAPH 13.9. Exmo_20 is in conflict with POLICY OL09 and POLICY PB04 as the Habitats Regulations Assessment (30.01.25) states that there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA) such that the Plan fails the integrity test. Development of

Exmo_20 on heavy clay subsoil with ineffective soakaways, would exacerbate the already identified downstream flood risk along Withycombe Brook through Exmouth, which is already beyond its design capacity. This is in conflict with POLICY AR01B. Exmo_20 would increase the need for car travel and increase traffic congestion, in conflict with PARAGRAPH 11.2. The isolated location is unsustainable development as people would need to travel much further than 800m to existing key services and facilities, contrary to PARAGRAPH 11.6. It is too far (and too steep) from any town centre to use walking or cycling as their choice of transport. This is contrary to POLICY TR01.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan or Do not assess the site via B3179

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anna Howell

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/ SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/ cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on- site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been

taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on

locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife- rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where

avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/ or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1 st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove and stop Exmo_20 from the plan totally

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the See Stop Exmo.20 Facebook page for full comments SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraph 16(d) of the National Planning Policy Framework (December 2023) and is therefore unsound and not legally compliant. The Local Plan includes too many housing allocations because it does not use the most up-to-date ONS data, as is required by national guidance (MHCLG Housing and Economic Needs Assessment). The 1,188 figure quoted in paragraph 3.11 was calculated in February 2025, before the 2024 ONS data was published, and is therefore incorrect. Using the latest data, the correct housing figure should be 1,156, with 80% being 925, and a 22-year plan requirement of 20,342. This represents a reduction of 567 homes. Many policies in the plan rely on a claimed “overriding need” to justify impacts or harm. Because the housing figures are wrong, there is no valid justification, particularly for mitigation measures. Exmo_20 must be removed from the plan because it requires multiple mitigation strategies due to its impacts on the internationally and nationally designated Pebblebed Heath SPA, SAC and SSSI. Additional numerical and calculation errors are found in evidence documents HOU-002 (October 2025) and HOU-001 (November 2025). These must be corrected and reconsulted on, as they form the basis of the Local Plan’s housing policies. Finally, paragraph 16(d) of the NPPF states that

plans must be clearly written and unambiguous so decision-makers can easily understand how to respond to development proposals. The current errors make the plan unclear and unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraph 109 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan policy TR01 and paragraph 11.6 of the Local Plan. The main vehicle access to Exmo_20 is 2.3 miles by road from the centre of Budleigh Salterton and 4 miles by road from the centre of Exmouth. This location would place significant pressure on Budleigh Salterton and does not respect the settlement hierarchy. Budleigh Salterton has not been properly considered by the Local Planning Authority when assessing the impacts of the Exmo_20 allocation. The site's location means residents would be likely to rely heavily on Budleigh Salterton for services, even though it is not identified to accommodate this

level of growth. In addition, the steep and challenging local landscape makes walking and cycling difficult. These constraints are not clearly shown on the policy maps, giving a misleading impression of sustainable travel options. As a result, Exmo_20 does not support sustainable transport choices and conflicts with national and local planning policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraph 32 of the National Planning Policy Framework (December 2023) and is therefore unsound. The Local Planning Authority has attempted to change the Site Selection Methodology (SSM) after the event in order to justify the inclusion of Exmo_20. The Site Selection Methodology dated May 2022 was the version used for the Regulation 18 stage of the Local Plan. After 11 December 2024, when the draft Local Plan was approved to proceed to Regulation 19, the SSM was altered. A revised version dated December 2024 was then included in the first and second Regulation 19 evidence libraries and presented as if it had been used to select sites. In reality, this revised version was not used during site selection, and the original

May 2022 version was not included. This raises serious concerns about transparency and decision-making. The May 2022 Site Selection Methodology, which was used at Regulation 18, does not allow Exmo_20 to be selected. The site failed the HELAA assessment, as it was not considered suitable or achievable. The methodology is clear that only sites assessed as suitable, available and achievable in the HELAA can progress beyond Stage 2 of the site selection process. It also explicitly states that sites within 400 metres of the Pebblebed Heaths SAC should be ruled out as unsuitable, or failing that, removed at Stage 2. Exmo_20 does not meet these requirements. Its inclusion therefore conflicts with the agreed site selection process and national planning policy, making the allocation unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraph 170b of the National Planning Policy Framework (December 2023). It also conflicts with paragraph 3.6 and policy AR01(b) of the Local Plan and is therefore unsound. The Strategic Flood Risk Assessment (Level 1) gives very little attention to Withycombe Brook, where it is only mentioned in a footnote in Table 5-3. However, Exmouth is known to have several significant flood risk routes, with recorded fluvial flooding in 1960, 1983 and 2012. Withycombe Brook already has areas at high risk of flooding, even before taking account of the increased risk expected from climate change. The Exmo_20 site is greenfield land located above the town, with tributaries and surface water runoff flowing directly into Withycombe Brook. This brook

then runs through the most densely populated parts of East Devon. The Local Planning Authority has not applied the required sequential, risk-based approach to site selection to avoid flood risk to people and property. As a result, the allocation of Exmo_20 does not comply with national or local planning policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 and 191 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan policies PB01, PB02, PB03 and PB04, and with paragraphs 3.6, 13.10, 13.11 and 13.24 of the Local Plan. The Exmo_20 site forms part of Strategic Nature Area 368. This area provides an important buffer between Exmouth and the internationally and nationally protected Pebblebed Heaths SPA, SAC and SSSI. It also supports key wildlife functions, including Nightjar foraging habitat, which is important because the Nightjar is a qualifying species for the SPA and a Section 41 species of principal importance. The site also acts as a wildlife corridor

linking the Pebblebed Heaths to the coast. Developing Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council is in the final stages of designating this site as a Local Nature Recovery Area as part of its Local Nature Recovery Strategy, due to be published in March 2026. This designation supports the aims of the Environment Act 2021 by linking existing wildlife sites and expanding habitats. Development would directly conflict with these objectives. The site contains veteran trees, ancient woodland and historic hedgerows, all of which would be at risk from habitat loss and fragmentation if development were allowed. Devon Wildlife Trust, in its response to the Regulation 19 consultation, stated that the entire Exmo_20 allocation lies within a Strategic Nature Area identified for its nationally important habitats, woodlands and wide range of species, including birds, insects, mammals and amphibians. They emphasised that Strategic Nature Areas are a key part of Devon's Nature Recovery Strategy and should be enhanced rather than developed. Devon Wildlife Trust also stated that development of Exmo_20 would expose sensitive habitats and species associated with NNRS, SAC, SPA and SSSI designations to significant harm. They concluded that it is not feasible to develop the site without causing adverse effects on the integrity of the SAC and strongly urged East Devon District Council not to include Exmo_20 in the Local Plan. I reserve the right to comment further if, and when, a supporting Habitats Regulations Assessment and mitigation strategy are provided for the Local Plan, and I request to be notified at that time.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraph 206 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan policies HE02 and OL01(D). A development the size of Exmo_20, surrounding the Grade II* listed Church of St John in the Wilderness, would cause serious harm to the church and its setting. The church and churchyard sit within a remote and tranquil landscape that reflects their historic origins as part of a medieval Saxon settlement. This area is defined by dark skies and a strong sense of isolation and “wilderness”. Building housing around the church would permanently damage this setting, even if a buffer zone were left around it. The quiet, rural character that contributes to the significance of the

church would be lost. Historic England, in its response to the Regulation 19 consultation, stated that Exmo_20 covers a very large area to the east and north-east of Exmouth, much of which lies within the setting of the Grade II* listed church and churchyard. They warned that development could cause considerable harm to the setting of this highly significant heritage asset. Historic England also raised concerns about the proposed long access road from the B3179 to the north, stating that this could itself cause significant harm to the setting and increase future pressure for further development in the area. They advised that alternative access from the south of the site should be explored. Historic England further stated that if evidence shows development could be accommodated in less sensitive areas to the south, the site boundary should be changed. If this is not possible, then the scale and type of development should be limited to what can be properly justified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraphs 16c, 92, 114b, 114d, 180e and 181 of the National Planning Policy Framework (December 2023). It is therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04, and paragraph 11.2 of the Local Plan. There is no realistic or viable access to the site. The current proposal relies on most of the site access being taken from the B3179. However, making this work would require major highway works that are uncertain, not costed, and not confirmed or agreed by Devon County Council. The cumulative and in-combination impacts on the B3179 must also be considered. These include increased traffic congestion and worsening air pollution, which would directly affect the

Pebblebed Heaths. The Habitats Regulations Assessment dated 18 November 2025 confirms that there is currently not enough certainty to rule out harmful effects on the integrity of the East Devon Pebblebed Heaths SAC and SPA due to air quality impacts. This is because the main access to Exmo_20 would be from the B3179, which runs along the boundary of the Pebblebed Heaths. The allocation of Exmo_20 therefore conflicts with the required precautionary approach and the mitigation hierarchy, which prioritises avoiding harm before trying to mitigate it. This hierarchy is mandatory under the Environment Act 2021. The Mitigation Strategy itself states that mitigation cannot be assumed without clear evidence, as confirmed by the People Over Wind and Sweetman judgments. As no reasonable scientific certainty has been provided to demonstrate that impacts can be avoided or effectively mitigated, the inclusion of Exmo_20 in the Local Plan is unlawful. I reserve the right to comment further if, and when, a supporting Habitats Regulations Assessment and mitigation strategy are provided for the Local Plan, and I request to be notified at that time

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraphs 16c, 32, 181, 185, 186b and 188 of the National Planning Policy Framework (December 2023). As a result, it is unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. The Exmo_20 site lies next to the Pebblebed Heaths SAC, SPA and SSSI. Because of this location, it would be very difficult to provide Suitable Alternative Natural Greenspace (SANGS) that is good enough, close enough, and attractive enough to stop new residents from using the Pebblebed Heaths for activities such as dog walking, cycling and walking. Increased use of the heathland would harm these highly protected habitats and species. Research shows that even a

single disturbance event can cause breeding failure for sensitive species such as the European Nightjar. In the absence of clear evidence showing how this harm would be avoided, the Local Planning Authority, as the Competent Authority, should apply a precautionary approach. The RSPB, in its response to the first Regulation 19 consultation, stated that mitigation measures for allocations closest to the designated heathlands, particularly Land at St John's (Exmo_20), are unlikely to be effective. They also raised concerns about additional nitrogen deposition from increased traffic linked to new development. The RSPB expressed serious concern that the St John's (Exmo_20) allocation would cause damaging impacts on the designated heathland SAC and SPA. These impacts include loss of potential foraging habitat, changes to farmland used as green infrastructure or public open space, increased cat predation on ground-nesting birds, and increased recreational pressure on the heathland, including dogs off leads. The RSPB considers there to be a significant risk that SANGS and on-site public open space would not be sufficient to prevent increased recreational use of the designated heathlands by new residents. Although policy SD01 states that development causing unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths, there is no practical way to prevent people or domestic cats from accessing the heathland. This risk increases the closer new housing is built, due to higher numbers of residents, dogs and cats. I reserve the right to comment further if, and when, a supporting Habitats Regulations Assessment and mitigation strategy are provided for the Local Plan, and I request that I be notified at that time.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with the National Planning Policy Framework (NPPF, December 2023), specifically paragraphs 16c, 32, 73b (including footnotes 38 and 7), 180d, 180e, 181, 185a, 186a, 186b, 188 and 191c. For these reasons, the allocation is unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum buffer of 400 metres next to the Pebblebed Heaths SAC, SPA and SSSI must be removed from the Exmo_20 site. This buffer is intended to reduce impacts such as cat predation and other urban pressures. Evidence shows that domestic cats can range well beyond 400 metres, and in rural areas can roam over 2 kilometres. Given that the European Nightjar, a ground-

nesting bird, is a qualifying feature of the SPA, the risk of predation is significant. Research confirms that a single predation event can cause a nesting attempt to fail. For this reason, a buffer significantly greater than 400 metres would be the precautionary and appropriate approach. The continued inclusion of Exmo_20 relies on a mitigation strategy and Habitats Regulations Assessment (HRA) that have not yet been demonstrated to be adequate. The current documents do not support the Plan. In the absence of a lawful and effective mitigation strategy, a precautionary approach is required. At the very least, this means removing the minimum 400 metres of land closest to the Pebblebed Heaths SAC/SPA/SSSI from the allocation. This land is functionally linked habitat, providing important foraging areas for the European Nightjar, which is both a key SPA qualifying species and a Section 41 Species of Principal Importance. In addition, a much wider buffer will be needed to address impacts from recreational pressure, including dogs off leads, cycling and walking. These impacts have not been assessed at a site level, so they must be addressed through a precautionary strategic approach. This position is supported by a number of ecological bodies, including Devon Wildlife Trust (DWT) and the RSPB. The East Devon National Landscape Partnership, in its response to the first Regulation 19 consultation, stated that a 400m buffer is not large enough to protect the designated sites from disturbance, increased visitor numbers, traffic and access pressures. They also highlighted that the allocation would further fragment surrounding habitats, making the protected sites more vulnerable to damage. As a result, they support non-adoption of the site, or if that is not possible, a significant reduction in the scale and boundary of the development, with fewer homes and development focused closer to the existing town to maintain a stronger rural buffer. The allocation of Exmo_20 is also difficult to justify because there were other suitable sites available that would have required less mitigation. In addition, the Plan includes an over-supply of housing allocations, resulting from the failure to use the latest mandatory ONS population data. Natural England has also raised concerns, noting that the policy is unclear about where employment uses would be located and gives developers too much flexibility. Natural England recommends a natural green buffer along the north-eastern boundary of the site, potentially secured through a Section 106 agreement, which would pull development further away from the SAC/SPA. They state that this would represent clear and sound planning and would better protect the East Devon Heaths SAC/SPA. I reserve the right to make further representations if and when a legally compliant HRA and mitigation strategy are produced in support of the Local Plan, and I request that I be formally notified when these documents are made available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: it should not have been considered in the first place as it did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
remove EXMO_20 from the plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with multiple paragraphs of the National Planning Policy Framework (NPPF, December 2023), specifically paragraphs 16c, 32, 73b (including footnotes 38 and 7), 180d, 180e, 181, 185a, 186b, 188 and 191c. As a result, the allocation is unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. The site lies adjacent to the Pebblebed Heaths SAC, SPA and SSSI. As such, the allocation depends on major mitigation for impacts on protected habitats and species. However, it has not been demonstrated that this mitigation is achievable or viable. The mitigation strategy itself

states that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA”, and the Plan’s HRA acknowledges that “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” Despite this, the site was selected on 03.09.24, without any opportunity for reconsideration, and the Regulation 19 draft Local Plan was approved on 11.12.24. This was done on the assumption that a mitigation strategy would be produced later, even though an appropriate assessment was not completed until 30.01.25. This approach is contrary to the CJEU “People Over Wind” judgment and fails to apply the legally required precautionary approach, which is particularly important given the CJEU “Dutch N” ruling. Where sites are known to require mitigation, the NPPF (paragraph 32) requires clear justification through the Mitigation Hierarchy. The Local Planning Authority has not undertaken this assessment stage. The allocation of Exmo_20 is therefore difficult to justify, especially as there were multiple alternative sites that were both viable and less reliant on mitigation. In addition, the Plan includes an over-supply of housing allocations, resulting from the failure to use the latest mandatory ONS population data. In its first Regulation 19 response, Devon Wildlife Trust stated that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries.” Taken together, this demonstrates a dismissive approach and widespread failures by the Local Planning Authority in carrying out its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to make further comments if and when a compliant HRA and mitigation strategy are produced in support of the Local Plan, and I request that I be formally notified should these documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: PROPER LEGAL PROCESS NOT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
DRASTICALLY REDUCE SIZE OF EXMO_20 AWAY FROM PEBBLEBED HEATHS AND B3179

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed allocation of Exmo_20 is inconsistent with paragraphs 92 and 109 of the National Planning Policy Framework (NPPF), December 2023, which require development to support sustainable communities and promote sustainable transport modes. As such, the allocation fails to meet the tests of soundness. Conflict with Local Plan Transport Policies: The allocation is contrary to Local Plan Policies TR01 and TR03, which prioritise sustainable transport, accessibility, and the reduction of reliance on the private car. Non-compliance with Local Plan Strategy: The allocation conflicts with paragraphs 3.6, 11.2, and 11.6 of the Local Plan, which set out the spatial strategy, settlement hierarchy, and sustainable distribution of development. Unsustainable

Accessibility and Increased Car Dependency: Exmo_20 has limited access and would necessitate a significant increase in private car travel, with the principal access proposed via the B3179. The site is located approximately 2.3 miles by road from the centre of Budleigh Salterton and 4.0 miles by road from the centre of Exmouth, placing it at an unsustainable distance from key services and facilities. Failure to Accord with the Settlement Hierarchy: The scale and location of the allocation would place undue pressure on Budleigh Salterton, contrary to the established settlement hierarchy. Budleigh Salterton has not been adequately considered by the Local Planning Authority in assessing the implications of the Exmo_20 allocation. Incompatibility with Policy TR01 (Active Travel): Policy TR01 requires walking and cycling to be the natural first choice for everyday journeys; this requirement cannot realistically be met in respect of Exmo_20. Topographical Constraints: The site and surrounding area are subject to topographical constraints that materially limit the feasibility of walking and cycling. These constraints are not clearly or accurately reflected on the relevant policy maps, thereby underestimating their impact on deliverability and sustainability.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DRASTICALLY REDUCE SIZE OF DEVELOPMENT AWAY FROM B3179 AND PEBBLEBED HEATHS - FOOTPATHS / CYCLEWAYS CANNOT GO ONTO A LETHAL ROAD

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE LEGAL AND CORRECT PROCESS IS FOLLOWED

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: PROPER LEGAL PROCESS NOT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
DRASTICALLY REDUCE THE SIZE OF EXMO20 - AWAY FROM VULNERABLE SITES - B3179 & PEBBLEBED HEATHS

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Conflict with National Planning Policy Framework (NPPF): Allocation of Exmo_20 is inconsistent with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188, and 191 of the NPPF (December 2023). As such, the allocation is unsound in principle and fails to meet the requirements of national planning policy. Conflict with Local Plan Policies: Allocation of Exmo_20 conflicts with Policies PB01, PB02, PB03, and PB04. It is also inconsistent with paragraphs 3.6, 13.10, 13.11, and 13.24 of the Local Plan. Impact on Strategic Nature Area (SNA): Exmo_20 forms part of Strategic Nature Area 368, which functions as a critical buffer between Exmouth and the Pebblebed Heath SPA/SAC/SSSI. The site provides foraging habitat for Nightjar, a key qualifying species for

the SPA and a Section 41 Priority Species. It serves as a wildlife corridor connecting the Pebblebed Heaths and the coast, essential for ecological connectivity. Threats to Conservation Objectives: Development of Exmo_20 would undermine the conservation objectives of the SPA, compromising the integrity of protected habitats. The site contains veteran trees, ancient woodland, and hedgerows, which are at risk of fragmentation and ecological degradation. Alignment with Emerging Nature Recovery Strategy: Devon County Council is in the final stages of designating Exmo_20 as a Local Nature Recovery Area under its Local Nature Recovery Strategy (to be published March 2026). The strategy aims to connect existing wildlife sites and extend habitats, which would be jeopardized by development on Exmo_20.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DRASTICALLY REDUCE THE SIZE OF EXMO20 - AWAY FROM VUNERABLE SITES - B3179 & PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION WITH LOCAL RESIDENTS OR RELEVANT BODIES

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT PROCESS IS FOLLOWED

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: INCORRECT LEGAL FORMAT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
DRASTICALLY REDUCE SITE AWAY FROM B3179 AND PEBBLEBED HEATHS

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 92, 114b, 114d, 180e, and 181 of the NPPF (Dec 2023), rendering the allocation unsound and non-compliant with national planning policy. The allocation also conflicts with Paragraph 3.6 and Policies TR01, PL09, PB04, and Paragraph 11.2 of the Local Plan. The current proposal relies on primary access to Exmo_20 from the B3179, which would require major, uncertain, and uncosted highway works, yet Devon County Council has not confirmed their feasibility. Cumulative and in-combination impacts on the B3179 must be fully considered, particularly regarding traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms that there is insufficient certainty to rule out adverse effects on integrity in relation to air quality, due

to the location of the primary access along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 contravenes the precautionary approach and the Mitigation Hierarchy, which prioritizes avoidance over mitigation. The allocation is unlawful because there is no reasonable scientific certainty presented regarding mitigation measures.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DRASTICALLY REDUCE SITE AWAY FROM B3179 AND PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
DREASTICALLY REDUCE SITE AWAY FROM B3179 & PEBBLEBED HEATHS

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (including footnotes 38 & 7), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188, and 191(c), rendering it unsound and non-compliant with the law. It also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04 and OL02. A minimum 400 m buffer from the SAC/SPA/SSSI should be excluded from Exmo_20. Given that cats can range over 2 km in rural areas (HRA 4.10) and the ground-nesting Nightjar is a qualifying feature of the SPA, this buffer is insufficient to mitigate predation risk. Even a single predation event can disrupt a nesting attempt; therefore, a significantly larger precautionary buffer is necessary than the 400 m currently proposed (Underhill-Day, 2005). Furthermore, Exmo_20 provides functionally linked supporting foraging habitat for Nightjar. Additional buffer distance is required to mitigate recreational impacts, including dogs off-lead, cycling, and walking, which have not yet been assessed at the site level. A precautionary approach at the strategic level is therefore warranted.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is inconsistent with paragraph 32 of the National Planning Policy Framework (NPPF) December 2023 and is therefore unsound. The Local Planning Authority (LPA) attempted to retrospectively amend the Site Selection Methodology (SSM) to provide justification for the inclusion of Exmo_20. The SSM dated May 2022, which underpinned the Regulation 18 consultation process, is the authoritative version; the amended December 2024 version, submitted in the first Regulation 19 evidence library, was incorrectly presented as the operative SSM. This conduct may be in potential conflict with the Nolan Principles of public life. The original May 2022 SSM, used during the Regulation 18 stage, contains provisions that do not permit the selection of Exmo_20.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DRASTICALLY REDUCE SIZE OF EXMO_20 - MOVE TOWARDS EXMOUTH AWAY FROM B3179 VULNERABLE ROAD AND VULNERABLE PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
DRASTICALLY REDUCE SIZE - MOVE TOWARDS EXMOUTH AWAYT FROM B3179 & PEBBLEBED HEATHS

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of site Exmo_20 is in conflict with paragraph 165 of the National Planning Policy Framework (NPPF), December 2023. The allocation also conflicts with paragraph 3.6 and Policy AR01(b) of the Local Plan, and is therefore unsound. Exmouth is identified as having numerous and significant flood risk pathways, including recorded fluvial flooding events in 1960, 1983, and 2012. Withycombe Brook currently contains significant flood risk areas, even before accounting for current and future climate change impacts. The Exmo_20 greenfield site is located above the town and has tributaries and surface runoff that flow directly into Withycombe Brook, which passes through the most populous wards in East Devon. The Local Planning Authority (LPA) has not applied the required sequential, risk-based approach to site selection aimed at avoiding flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION SHOWN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: INCORRECT LEGAL PROCESS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
DRASTICALLY REDUCE THE SIZE OF EXMO_20 TOWARDS EXMOUTH AND AWAY FROM PEBBLEBED HEATHS AND

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: CORECT LEGAL PROCESS NOT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REDUCE SIZE OF EXMO_20 AWAY FROM B3179 AND PEBBLEBED HEATHS

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is inconsistent with paragraphs 16(c), 32, 181, 185, 186(b), and 188 of the NPPF (December 2023) and is therefore unsound and non-compliant with national policy. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. Given Exmo_20's proximity to the Pebblebed Heaths SAC/SPA/SSSI, it is unlikely that any proposed SANGs could provide sufficient ecological or recreational capacity to prevent substantial disturbance from recreational activities—such as dog walking, cycling, and general foot traffic—which would harm the designated habitats and species. It must be noted that a single predation event can terminate a nesting attempt. In the absence of evidence demonstrating adequate

mitigation, the Competent Authority, the LPA, should adopt a precautionary approach in accordance with relevant environmental safeguards.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DRASTICALLY REDUCE EXMO_20 AND MOVE AWAY FROM PEBBLEBED HEATHS AND B3179 TOWARDS EXMOUTH

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION SHOWN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORECT LEGAL PROCESS

Full name: IAN HOWICK

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: MANY LEGAL CONCERNS IN THE PROCESS

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

NPPF Non-Compliance: Allocation of Exmo_20 conflicts with NPPF Dec 2023: paras 16c, 32, 73b (footnotes 38 & 7), 180d, 180e, 181, 185, 186b, 188, 191c. Allocation is unsound and legally non-compliant. Local Plan Conflict: Contravenes paragraph 3.6 and policies PB01, PB02, PB03, PB04, OL02. Environmental Constraints: Adjacent to Pebblebed Heaths SAC/SPA/SSSI. Reliance on significant habitat and species mitigation which has not been demonstrated as achievable or viable. Mitigation strategy: “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA.” Plan HRA: “Growth proposed exceeds threshold levels; no means to mitigate or address the risks exists.” Procedural Breach: Site selected 03.09.24; draft Local Plan approved 11.12.24, before an appropriate assessment in HRA (30.01.25), contrary to CJEU People over Wind. Mitigation Hierarchy: Allocation of sites with known mitigation requirements lacks clear justification, contrary to NPPF paragraph 32. Conclusion: Exmo_20 allocation is unsound, legally non-compliant, environmentally risky, and procedurally flawed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DRASTICALLY REDUCE SIZE OF EXMO_20 TOWARDS EXMOUTH AND AWAY FROM VUNERABLE B3179 & THE PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: THER HAS BEEN NO CO-OPERATION

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL PROCEDURE IS FOLLOWED

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: CORECT LEGAL PROCESS NOT ADHERED TO

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's proposed allocation is inconsistent with paragraph 32 of the NPPF (Dec 2023) and is therefore unsound. The Local Planning Authority (LPA) has attempted to retrospectively amend the Site Selection Methodology (SSM) in order to justify the inclusion of Exmo_20. However, the SSM relied upon for the Regulation 18 process is the May 2022 version, not the December 2024 version cited in the first Regulation 19 evidence library, which was presented misleadingly as the operative methodology. This conduct may raise concerns under the Nolan Principles of public life, particularly with respect to integrity and transparency. Critically, the original May 2022 SSM—utilized during the Regulation 18 consultation—contains wording that precludes the selection of Exmo_20.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO COOPERATION HAS BEEN SHOWN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE LEGAL AND CORRECT PROTOCOL ARE FOLLOWED:

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: INCORRECT LEGAL PROCESS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed allocation of Exmo_20 conflicts with paragraph 165 of the National Planning Policy Framework (December 2023). It is also contrary to paragraph 3.6 and Policy AR01(b) of the Local Plan and is therefore unsound. Exmouth is recognised as having multiple and significant flood-risk pathways, with recorded fluvial flooding events in 1960, 1983 and 2012. Withycombe Brook already contains areas of substantial flood risk, even before the consideration of current and future impacts arising from climate change. The greenfield Exmo_20 site is located upslope of the town and contains tributaries and surface water runoff that drain directly into Withycombe Brook, which flows through the most densely populated wards in East Devon. The Local Planning Authority has failed to apply the required sequential, risk-based approach to site

selection, contrary to national and local policy, thereby increasing the potential flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION SHOWN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE PROTOCOL AND LEGAL PROCESS IS FOLLOWED

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraphs 16(c), 25, 180(d), 181, 185(a), 186(a), 186(c), 188 and 191 of the National Planning Policy Framework (December 2023) and is therefore unsound. It is also inconsistent with Policies PB01, PB02, PB03 and PB04, and with paragraphs 3.6, 13.10, 13.11 and 13.24 of the Local Plan. The Exmo_20 site lies within Strategic Nature Area 368, which functions as a critical buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI. The area provides essential foraging habitat for nightjar—a key qualifying species of the SPA and a Section 41 species of principal importance—and forms an important wildlife corridor linking the Pebblebed Heaths with the coast. Development of Exmo_20 would therefore undermine the conservation objectives of the SPA. Devon County Council is in the final stages of designating this land as a Local Nature Recovery Area as part of its Local Nature Recovery Strategy (scheduled for publication in March 2026), which seeks to connect existing wildlife sites and expand habitat networks. The site contains numerous veteran trees, areas of

ancient woodland and established hedgerows, all of which would be at risk of fragmentation and ecological degradation as a result of development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE ITS LEGALLY COMPLIANT

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraph 206 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan Policies HE02 and OL01(D). A development of the scale proposed at Exmo_20 would result in significant and unacceptable harm to the setting of St John in the Wilderness Church, a Grade II* listed building. The church and its churchyard derive substantial heritage significance from their remote, tranquil and undeveloped surroundings. The area is characterised by dark skies, openness and a strong sense of isolation, consistent with the church's historic 'wilderness' setting. The encircling of this heritage asset by a large housing development would fundamentally alter its setting, eroding its rural character and sense of remoteness, and causing irreversible harm to its significance. Such harm is neither justified nor outweighed by public benefits, and the allocation therefore fails to meet national and local policy requirements for the conservation and enhancement of heritage assets and their settings.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE OCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION HAS BEEN SHOWN WITH RESIDENTS OR RELEVANT BODIES

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE CORRECT LEGAL PROCESS AND PROTOCOL

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed allocation of site EXMO_20 is contrary to national planning policy and is therefore unsound and not legally compliant. In particular, the allocation conflicts with paragraphs 16(c), 32, 181, 185, 186(b) and 188 of the National Planning Policy Framework (December 2023), which collectively require plans to be positively prepared, justified, effective, consistent with national policy, and to protect and enhance sites of international and national biodiversity importance. The allocation also fails to accord with the adopted Local Plan, specifically paragraph 3.6 and Policies PB01, PB02, PB03, PB04 and OL02, which seek to safeguard the natural environment, protect designated sites, and ensure development does not result in unacceptable environmental harm. The EXMO_20 site is immediately adjacent to the Pebblebed Heaths SAC/SPA/SSSI, a highly sensitive European and nationally designated site. Given this proximity, it is not demonstrated that Suitable Alternative Natural Greenspace (SANGS) of sufficient size, quality, functionality, and geographical convenience could be delivered to effectively divert recreational pressure away from the Pebblebed Heaths. In particular, there is no evidence that future residents would be dissuaded from undertaking recreational activities such as dog walking, walking, and cycling within the designated site. Increased recreational pressure poses a clear risk of adverse effects on the integrity of the SAC/SPA, including disturbance to protected habitats and species. It is well-established that even a single disturbance or predation event can be sufficient to cause the failure of a nesting attempt, resulting in significant ecological harm. In the absence of adequate and legally robust evidence demonstrating that the proposed allocation would not result in adverse effects on the integrity of the Pebblebed Heaths SAC/SPA/SSSI, the allocation fails to meet the requirements of the Habitats

Regulations. Accordingly, the Competent Authority, namely the Local Planning Authority, is required to apply the precautionary principle. Without such certainty, the allocation cannot lawfully proceed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO ENSURE LEGAL PROCESS AND CORRECT PROCEDURE IS FOLLOWED

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Correct regulations have not been adhered to

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with paragraphs 16(c), 32, 73(b) (including footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188 and 191(c) of the NPPF (December 2023) and is therefore unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum buffer of 400 metres adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. This buffer is required as mitigation for potential impacts arising from domestic cat predation and other urban effects. Evidence within the HRA (para. 4.10) confirms that in rural environments cats may roam in excess of 2 kilometres. Given that the Nightjar is a qualifying ground-nesting feature of the SPA, there is a clear and significant risk of predation, noting that a single predation event can result in nesting

failure. In these circumstances, a buffer substantially greater than the pragmatic 400 metres proposed (Underhill-Day, 2005) is required in accordance with the precautionary principle. The land also constitutes functionally linked supporting foraging habitat for Nightjar. Furthermore, a significantly greater buffer is necessary to mitigate recreational impacts, including dog walking (particularly off-lead), cycling and walking. As these impacts have not been assessed at the site level, a precautionary approach must be applied at the strategic plan-making stage.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: residents were not informed -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure legal process and correct protocol are followed:

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed allocation of site EXMO_20 is neither sound nor legally compliant. It is inconsistent with several provisions of the National Planning Policy Framework (December 2023), notably paragraphs 16(c), 32, 73(b) (including footnotes 7 and 38), 180(d) and (e), 181, 185, 186(b), 188, and 191(c). It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. The site is located adjacent to the Pebblebed Heaths SAC, SPA, and SSSI, meaning its allocation is wholly dependent on substantial mitigation to avoid adverse effects on internationally and nationally protected habitats and species. However, there is no robust evidence demonstrating that the required mitigation is deliverable, effective, or viable. On the contrary, the mitigation strategy itself concedes that a Likely Significant Effect could not be ruled out for other units within the EDPH SAC and SPA. This is reinforced by the Plan-level Habitats Regulations Assessment (HRA), which explicitly states that there is an inherent conflict, as the scale of growth proposed exceeds established thresholds and no confirmed mechanism exists to mitigate or resolve the resulting risks. Despite these acknowledged deficiencies, the site was selected on 03 September 2024 without any meaningful opportunity for review or reassessment, and the draft Local Plan was approved on 11 December 2024 on the speculative assumption that a mitigation strategy would be produced at a later date. An Appropriate Assessment was only undertaken subsequently, as part of the HRA dated 30 January 2025. This approach is inconsistent with established legal principles, including the People Over Wind judgment, which makes clear that mitigation measures must not be relied upon at the

screening stage and must be fully assessed prior to plan adoption. In addition, where sites with known and significant environmental constraints are proposed for allocation, the NPPF requires a clear, transparent, and evidenced justification through the application of the Mitigation Hierarchy (paragraph 32). No such justification has been provided for EXMO_20, nor has any explanation been offered as to why less harmful or less constrained alternatives were not selected instead. For these reasons, the allocation of EXMO_20 fails the tests of soundness and legal compliance. The site should therefore be removed from the Plan unless and until a fully evidenced, deliverable, and legally compliant mitigation solution is clearly demonstrated.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan - or reduce the size of the plan so it is less houses and in Exmouth

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To see that the correct guidelines and legal requirements are adhered to

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Incorrect mapping / residents not informed

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Restart the process with correct consultation process and informing local residents

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of site EXMO_20 is unsound and not legally compliant, as it conflicts with multiple provisions of the National Planning Policy Framework (NPPF, December 2023), specifically paragraphs 16(c), 32, 73(b) (including footnotes 7 and 38), 180(d) and (e), 181, 185, 186(b), 188, and 191(c). The allocation also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. The site lies adjacent to the Pebblebed Heaths SAC, SPA, and SSSI, and its allocation is therefore dependent upon significant mitigation for impacts on protected habitats and species. However, the deliverability, effectiveness, and viability of the required mitigation have not been demonstrated. The mitigation strategy itself confirms that “it was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA,” while the

Plan-level Habitats Regulations Assessment (HRA) explicitly acknowledges that “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” Despite this acknowledged uncertainty, the site was selected on 03.09.24, without any opportunity for reconsideration, and the draft Local Plan was approved on 11.12.24 on the assumption that a mitigation strategy would be produced. An Appropriate Assessment was only undertaken subsequently as part of the HRA dated 30.01.25. This approach is contrary to established case law, including the CJEU judgment in *People Over Wind*, which requires that mitigation measures must not be taken into account at the screening stage and must be assessed before plan adoption. Furthermore, where sites with known and significant mitigation requirements are proposed for allocation, the NPPF requires clear and transparent justification through the application of the Mitigation Hierarchy (paragraph 32). No such justification has been provided in this case, nor has it been demonstrated why less harmful or unconstrained alternatives were not preferred. For these reasons, allocation EXMO_20 fails the tests of soundness and legal compliance and should be removed from the Plan unless and until a fully evidenced, deliverable, and legally compliant mitigation solution is demonstrated.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Allocation so far has been inaccurate - parts of the plan changed after they should have been - I would like to make sure correct legal and functional process has been followed

Full name: Chrissy Howick

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, specifically 33a. I submitted numerous comments within the First Reg 19 Consultation which have either been ignored or not actioned upon. I raised concerns regarding the use of incorrect maps relating to Exmo_20 within the SAL-022 document and errors in the information within the document TRI-023. These map errors and information errors have not been corrected, and the old versions of these documents are being put forward as the ONLY versions within the Reg 19 evidence library. This gives the impression that either my comments have been ignored, or not even considered. Either way I should have been informed. The EDDC will say that we cannot respond to all of your comments, but a feedback report will be available in the lead up to the submission the Draft Local Plan. THIS IS TOO LATE. Where is our right to respond? We will not know if we agree or have even received a response before it is too late. THIS NEEDS TO BE CHANGED.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Amend the incorrect maps and information in the identified documents before submission to the inspector.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, specifically 33a. I submitted numerous comments within the First Reg 19 Consultation which have either been ignored or not actioned upon. I raised concerns regarding the use of incorrect maps relating to Exmo_20 within the SAL-022 document and errors in the information within the document TRI-023. These map errors and information errors have not been corrected, and the old versions of these documents are being put forward as the ONLY versions within the Reg 19 evidence library. This gives the impression that either my comments have been ignored, or not even considered. Either way I should have been informed. The EDDC will say that we cannot respond to all of your comments, but a feedback report will be available in the lead up to the submission the Draft Local Plan. THIS IS TOO LATE. Where is our right to respond? We will not know if we agree or have even received a response before it is too late. THIS NEEDS TO BE CHANGED.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that my comments are taken note of and that the failings in relation to the EDDC's duty to co-operated are highlighted and acted upon.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, specifically 33a. I submitted numerous comments within the First Reg 19 Consultation which have either not been responded to or in the case of the Sustainability Appraisal Report, I have not been informed that a response has been provided. This is a failure in EDDC's duty to co-operate. I found the responses provided by the council on the Sustainability Appraisal Report by accident. I have reviewed these and must admit that I do not agree with the majority of the responses. Of particular note are the following: The justification for Exmo_20 being still within the plan The response to my flood risk comment. The response to the 400m buffer zone issue. The fact that they justify site Exmo_20 being included by stating the Site Selection Methodology document, yet the version of this document that was applicable when this site was being discussed/allocated within Reg 18 and 19 did not have this justification clause in, and Exmo_20 should not have been progressed. The responses regarding services/facilities within 800m is incorrect. Please note that I have not listed all of my issues with these responses.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I wish to highlight the complete lack of co-operation that the public has received throughout the lifespan of this Draft Local Plan especially in

relation to site Exmo_20. I also wish to have the opportunity to get answers to questions that have been ignored.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is in conflict with policy HE02. There is a new addendum document SAL-022a which details the Historic Site Assessment that has been carried out by EDDC. Within this document there are several statements that are misleading, specifically paragraphs 7.32 and 7.34. 7.32 states that the site assessment was carried out in August 2025 when trees and hedgerows were in full bloom and it states "The extent and density of planting means that in the summer months there are limited views and intervisibility with surrounding fields. In the winter, with the falling of leaves, this will increase but even then the evergreens and mass of branches on the deciduous trees will result in a retained degree of screening." The winter views of the surrounding fields are VERY different and any future assessment needs to be carried out in the Winter months NOT IN THE SUMMER!!! What exactly is the point of this addendum? As there has been quite a bit of work carried out and the map on page 38 and the tabular information on page 42 are taking into account the August 2025 site assessment with regards to visual connectivity and identifies areas not to build on. Yet paragraph 7.38 then states the following: 7.38 It is stressed that this work is not a formal detailed assessment and in no sense is it intended to form policy or establish any specific set of proposals or patterns for development. Rather it is illustrative and approximate of comparative areas of sensitivity and is set out as a means to illustrate the scale or level of development that could potentially be achieved by directing development to the less or nil sensitive locations only. It is worth highlighting, however, that development when well designed and implemented can frame and enhance heritage assets and as such 'sensitive areas' can in some cases be appropriate and positive for development and built uses. The above statement basically deletes all of the work detailed in this addendum. Why

bother doing this work, oncluding it as evidence then effectively saying that it is not worth the paper it is written on????? This SHOULD form policy, establish a set of proposals and patterns for development. Otherwise why carry out the work???? In addition to the above I would like it noted that it states in the Draft Local Plan that "Support will be given for expansion of the churchyard, to provide more burial/interment of ashes space at St John in the Wilderness". This land needs to be identified and included in any Heritage assessment, as this would in effect alter the views of the surrounding area from the Church. One final point is that the NEW wording for Exmo_20 states "An extensive area must be established around the church in master planning work within which built development will not be allowed, though, subject to not having adverse heritage impacts, open space non-sports pitch uses will be permitted". This is an ambiguous statement and leaves things open to interpretation, and the words after "development will not be allowed" need to be removed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Any heritage assessment MUST be carried out during the Winter and NOT the summer. Reword paragraph 7.38, so that the details identified within this document are not just ignored.... Wording needs to be added to the plan stating that the additional land to be provided to the Church needs to be identified and agreed before any heritage assessment is carried out. The ambiguous wording identified regarding the use of land around the church needs to be amended as requested. with a

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The Church setting is important and needs to be protected. The Draft Local Plan and the new addendum SAL-022a need to be more specific.

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Sustainability Appraisal Report has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that] they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The sites that failed HELAA including Exmo_20 are now being justified based on the Site Selection Methodology that was NOT applicable when they were allocated, therefore the inclusion of these sites in the Draft Local Plan, and specifically Exmo_20, CANNOT be justified and is UNSOUND. The Site Selection Methodology document dated May 2022 was applicable for the entire Reg 18 process and also when Exmo_20 was allocated in the Strategic Planning Committee meeting on the 3rd September 2024 in Reg 19. Exmo_20 failed HELAA and therefore should not have been available for Reg 18 nor to be allocated for Reg 19. I attach the applicable document as evidence below.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should not

have been considered for Reg 18 or Reg 19 as per the EDDC's own policies and procedure. Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Sustainability Appraisal Report has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that] they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The sites that failed HELAA including Exmo_20 are now being justified based on the Site Selection Methodology that was NOT applicable when they were allocated, therefore the inclusion of these sites in the Draft Local Plan, and specifically Exmo_20, CANNOT be justified and is UNSOUND. I have included the Site Selection Methodology document from May 2022. This is the document that was applicable during the entire Reg 18 process and also still applicable when site Exmo_20 was incorrectly allocated at the Strategic Planning Committee meeting on the 3rd September 2024 (see attached).

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement. Yet there has been very little evidence of this since I have been involved in the Reg 19 process.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that our voices are heard and that the Draft Local Plan process can be improved.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. I have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meeting on Tuesday the 6th September 2026. At this meeting I specifically raised my concerns regarding the fact that the Sustainability Appraisal Report (SAR) has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This document now includes changes as a result of the comments made in the First Reg 19 Consultation. Pages 76 to 113 of the SAR detail the comments and the councils responses and the document has been changed significantly to accommodate these responses. However, this has not been communicated to ANY of the organisations or members of the public that made them. The organisations and members of the public that raised these comments are not aware of them, and may disagree with the Councils response, I KNOW I DO. However, if these changes are not communicated, then the chances are high that no-one will check them (especially as this is a 686 page document, nearly double the size of the Draft Local Plan). IF THERE ARE NO COMMENTS/OBJECTIONS TO THESE CHANGES THE COUNCIL WILL TAKE THIS AS APPROVAL --- THIS IS NOT ACCEPTABLE. There is also no "Schedule of Changes" listed for the Sustainability Appraisal Report, which is inconsistent with the rest of the chapters of the Draft Local Plan detailed within Commonplace. Again highlighting the lack of communication by the EDDC. I attach an email that I sent to the Strategic Planning Committee chair person and the other members of the committee regarding

the SAR and other concerns (including my speaker notes from the 6th January 2026). I sent this email on the 13th January 2026, and as I submit this comment on Sunday 25th January 2026, I have still to receive a response, which is too late for this consultation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. I have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meeting on Tuesday the 6th September 2026. At this meeting I specifically raised my concerns regarding the fact that the Sustainability Appraisal Report (SAR) has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This document now includes changes as a result of the comments made in the First Reg 19 Consultation. Pages 76 to 113 of the SAR detail the comments and the councils responses and the document has been changed significantly to accommodate these responses. However, this has not been communicated to ANY of the organisations or members of the public that made them. The organisations and members of the public that raised these comments are not aware of them, and may disagree with the Councils response, I KNOW I DO. However, if these changes are not communicated, then the chances are high that no-one will check them (especially as this is a 686 page document, nearly double the size of the Draft Local Plan). IF THERE ARE NO COMMENTS/OBJECTIONS TO THESE CHANGES THE COUNCIL WILL TAKE THIS AS APPROVAL --- THIS IS NOT ACCEPTABLE. There is also no “Schedule of Changes” listed for the Sustainability Appraisal Report, which is inconsistent with the rest of the chapters of the Draft Local Plan detailed within Commonplace. Again highlighting the lack of communication by the EDDC. I attach an email that I sent to the Strategic Planning Committee chair person and the other members of the committee regarding the SAR and other concerns (including my speaker notes from the 6th January 2026). I sent this email on the 13th January 2026, and as I submit this comment on

Sunday 25th January 2026, I have still to receive a response, which is too late for this consultation.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To highlight the fact that the EDDC have failed in their duty to co-operate not only with the public but with organisations.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. I raised several comments in the First Reg 19 Consultation regarding the EDDC's failure to adhere to their own processes and procedures in relation to site Exmo_20. These have been ignored not only through this process but also despite me bringing these issues to the attention of the Strategic Planning Committee and the Planning Officers. I have followed this up by raising a Freedom of Information request in July 2025 asking 5 questions (see evidence). I received a response to my FOI request in August 2025 (see evidence). The FOI responses provide the data as evidence so I could not refute the findings. However, the fact remains that the responses effectively confirm what I have been saying in relation to sites Exmo_20, Exmo_20a, Exmo_20b and Exmo_46, and also confirms that EDDC have not followed their own policies and procedures. It also raises the point that I have been asking the Planning Officers for some time, and that is - are documents and decisions being "approved by default" if they are not discussed at the Strategic Planning Committee meetings (see evidence)? I include my comments against the FOI responses for clarity (see evidence, and also the point made below regarding the fact that sites Exmo_20a and Exmo_20b are never discussed at the meeting on the 1st November 2022, despite these sites never being visible until this meeting). In brief, Exmo_20 failed HELAA. Exmo_46 was the only site that should have gone forward into Reg 18. Sites Exmo_20a and Exmo_20b were suddenly created as NEW sites, and appear in maps for the first time at the Strategic Planning Committee meeting on the 1st November 2022, but are never mentioned or discussed at this meeting. Also to be noted is the fact that the Draft Local Plan that was presented at this meeting did not include Exmo_20a or Exmo_20b, yet Exmo_20b is

included in the Draft Local Plan for Reg 18 6 days later as part of the consultation, but Exmo_20a is NOT. These sites are then classed as consulted on at Reg 18 even though Exmo_20a is identified as a REJECTED site (why would you consult or comment on a rejected site that is not even described in the Draft Local Plan?). It should be noted that the three main supporting documents for Reg 18, the HELAA report, the Sustainability Appraisal Report and the Exmouth Site Selection Document ONLY mention Exmo_20 and Exmo_46. With HELAA rejecting Exmo_20 but letting Exmo_46 progress. The Sustainability Appraisal Report highlighting that Exmo_20 is not to be progressed and that Exmo_46 is to be progressed. The Exmouth Site Selection document highlighting again that Exmo_20 is NOT to be progressed but that Exmo_46 is to be progressed. IT IS TO BE NOTED THAT NONE OF THESE DOCUMENTS MENTION EXMO_20a OR Exmo_20b.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove Exmo_20 from the plan.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. I raised several comments in the First Reg 19 Consultation regarding the EDDC's failure to adhere to their own processes and procedures in relation to site Exmo_20. These have been ignored not only through this process but also despite me bringing these issues to the attention of the Strategic Planning Committee and the Planning Officers. I have followed this up by raising a Freedom of Information request in July 2025 asking 5 questions (see evidence). I received a response to my FOI request in August 2025 (see evidence). The FOI responses provide the data as evidence so I could not refute the findings. However, the fact remains that the responses effectively confirm what I have been saying in relation to sites Exmo_20, Exmo_20a, Exmo_20b and Exmo_46, and also confirms that EDDC have not followed their own policies and procedures. It also raises the point that I have been asking the Planning Officers for some time, and that is - are documents and decisions being "approved by default" if they are not discussed at the Strategic Planning Committee meetings (see evidence)? I include my comments against the FOI responses for clarity (see evidence, and also the point made below regarding the fact that sites Exmo_20a and Exmo_20b are never discussed at the meeting on the

1st November 2022, despite these sites never being visible until this meeting). In brief, Exmo_20 failed HELAA. Exmo_46 was the only site that should have gone forward into Reg 18. Sites Exmo_20a and Exmo_20b were suddenly created as NEW sites, and appear in maps for the first time at the Strategic Planning Committee meeting on the 1st November 2022, but are never mentioned or discussed at this meeting. Also to be noted is the fact that the Draft Local Plan that was presented at this meeting did not include Exmo_20a or Exmo_20b, yet Exmo_20b is included in the Draft Local Plan for Reg 18 6 days later as part of the consultation, but Exmo_20a is NOT. These sites are then classed as consulted on at Reg 18 even though Exmo_20a is identified as a REJECTED site (why would you consult or comment on a rejected site that is not even described in the Draft Local Plan?). It should be noted that the three main supporting documents for Reg 18, the HELAA report, the Sustainability Appraisal Report and the Exmouth Site Selection Document ONLY mention Exmo_20 and Exmo_46. With HELAA rejecting Exmo_20 but letting Exmo_46 progress. The Sustainability Appraisal Report highlighting that Exmo_20 is not to be progressed and that Exmo_46 is to be progressed. The Exmouth Site Selection document highlighting again that Exmo_20 is NOT to be progressed but that Exmo_46 is to be progressed. IT IS TO BE NOTED THAT NONE OF THESE DOCUMENTS MENTION EXMO_20a OR Exmo_20b.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. I raised several comments in the First Reg 19 Consultation regarding the EDDC's failure to adhere to their own processes and procedures in relation to site Exmo_20. These have been ignored not only through this process but also despite me bringing these issues to the attention of the Strategic Planning Committee and the Planning Officers. I have followed this up by raising a Freedom of Information request in July 2025 asking 5 questions (see evidence). I received a response to my FOI request in August 2025 (see evidence). The FOI responses provide the data as evidence so I could not refute the findings. However, the fact remains that the responses effectively confirm what I have been saying in relation

to sites Exmo_20, Exmo_20a, Exmo_20b and Exmo_46, and also confirms that EDDC have not followed their own policies and procedures. It also raises the point that I have been asking the Planning Officers for some time, and that is - are documents and decisions being "approved by default" if they are not discussed at the Strategic Planning Committee meetings (see evidence)? I include my comments against the FOI responses for clarity (see evidence, and also the point made below regarding the fact that sites Exmo_20a and Exmo_20b are never discussed at the meeting on the 1st November 2022, despite these sites never being visible until this meeting). In brief, Exmo_20 failed HELAA. Exmo_46 was the only site that should have gone forward into Reg 18. Sites Exmo_20a and Exmo_20b were suddenly created as NEW sites, and appear in maps for the first time at the Strategic Planning Committee meeting on the 1st November 2022, but are never mentioned or discussed at this meeting. Also to be noted is the fact that the Draft Local Plan that was presented at this meeting did not include Exmo_20a or Exmo_20b, yet Exmo_20b is included in the Draft Local Plan for Reg 18 6 days later as part of the consultation, but Exmo_20a is NOT. These sites are then classed as consulted on at Reg 18 even though Exmo_20a is identified as a REJECTED site (why would you consult or comment on a rejected site that is not even described in the Draft Local Plan?). It should be noted that the three main supporting documents for Reg 18, the HELAA report, the Sustainability Appraisal Report and the Exmouth Site Selection Document ONLY mention Exmo_20 and Exmo_46. With HELAA rejecting Exmo_20 but letting Exmo_46 progress. The Sustainability Appraisal Report highlighting that Exmo_20 is not to be progressed and that Exmo_46 is to be progressed. The Exmouth Site Selection document highlighting again that Exmo_20 is NOT to be progressed but that Exmo_46 is to be progressed. IT IS TO BE NOTED THAT NONE OF THESE DOCUMENTS MENTION EXMO_20a OR Exmo_20b.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I have raised my concerns detailed above with EDDC, the Strategic Planning Committee, EDDC Planning Officers etc.. but no one seems to listen or be concerned that policies and procedures have been ignored.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I submitted a comment within the First Reg 19 Consultation identifying the fact that the site maps for Exmo_20 were conflicting with NPPF chapter 3 'Plan Making' where it states that plans should be 'up to date'. The EDDC have been contacted on numerous times to update the map for Exmo_20 to stop promoting the site with land that is not available (i.e. existing homes, listed buildings and the grade II * church and its lands). This was confirmed and the settlement boundaries identified. However, there were still instances where the incorrect maps were still being used. I identified the Sustainability Appraisal Report and the Site Allocations 'SAL' document for Exmouth (SAL-022), as documents that needed to be corrected. The Sustainability Appraisal Report has been updated and a new version published. However, the SAL-022 document has not, and the incorrect map is still visible in two sections of this document. This is unacceptable and again highlights the fact that our comments are being ignored. To make matters worse, a new addendum SAL-022a has been added as part of the Second Reg 19 Consultation. This document was made available on the EDDC website on the 26th November 2025. I highlighted this to EDDC along with issues around tabular data that was incorrect (See attached emails as evidence). My comments were supposedly acted upon. However, I bring pages 26, 27 42 and 43 of this document to your attention (SAL-022a is attached). The change regarding the map has been completed on page 26, but "red" text has been added which tries to explain the reason for the change and contains a link to the original SAL-022 document (no new version of this since February 2025) telling you that the old map can be seen here. THIS AGAIN SHOWS THAT MY FIRST REG 19 COMMENTS HAVE BEEN IGNORED. AS STATED ABOVE I HIGHLIGHTED THAT THE MAP IN SAL-022 WAS INCORRECT AND SHOULD BE CORRECTED, YET THIS RED TEXT

REFERS YOU TO AN INCORRECT MAP. EVEN THE WORDING USED IN THE RED TEXT IS WRONG AS IT STATES "To avoid any potential confusion in respect of land allocated for development in the 2nd Regulation 19 Local Plan.....". THE LAND ALLOCATED FOR DEVELOPMENT RELATING TO EXMO_20 HAS NOT CHANGED FROM THAT IDENTIFIED IN THE FIRST REG 19 LOCAL PLAN. THE FACT THAT OUR COMMENTS CONTINUE TO BE IGNORED CANNOT AND SHOULD NOT BE ALLOWED. For further proof of this, I bring to your attention the red text on pages 42 and 43, as this text does not belong in this document. The data should have been changed to be correct, not left as it is with an additional CONFUSING bit of text. This highlights a total lack of document version control within EDDC.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Correct SAL-022 and SAL-022a as requested. Provide evidence that our comments raised in the First Reg 19 Consultation and this Second Consultation are being noted and actioned upon.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I submitted a comment within the First Reg 19 Consultation identifying the fact that the site maps for Exmo_20 were conflicting with NPPF chapter 3 'Plan Making' where it states that plans should be 'up to date'. The EDDC have been contacted on numerous times to update the map for Exmo_20 to stop promoting the site with land that is not available (i.e. existing homes, listed buildings and the grade II * church and its lands). This was confirmed and the settlement boundaries identified. However, there were still instances where the incorrect maps were still being used. I identified the Sustainability Appraisal Report and the Site Allocations 'SAL' document for Exmouth (SAL-022), as documents that needed to be corrected. The Sustainability Appraisal Report has been updated and a new version published. However, the SAL-022 document has not, and the incorrect map is still visible in two sections of this document. This is unacceptable and again highlights the fact that our comments are being ignored. To make matters worse, a new addendum SAL-022a has been added as part of the Second Reg 19 Consultation. This document was made available on the EDDC website on the 26th November 2025. I highlighted this to EDDC along with issues around tabular data that was incorrect (See attached emails as evidence). My comments were supposedly acted upon. However, I bring pages 26, 27 42 and 43 of this

document to your attention (SAL-022a is attached). The change regarding the map has been completed on page 26, but "red" text has been added which tries to explain the reason for the change and contains a link to the original SAL-022 document (no new version of this since February 2025) telling you that the old map can be seen here. THIS AGAIN SHOWS THAT MY FIRST REG 19 COMMENTS HAVE BEEN IGNORED. AS STATED ABOVE I HIGHLIGHTED THAT THE MAP IN SAL-022 WAS INCORRECT AND SHOULD BE CORRECTED, YET THIS RED TEXT REFERS YOU TO AN INCORRECT MAP. EVEN THE WORDING USED IN THE RED TEXT IS WRONG AS IT STATES "To avoid any potential confusion in respect of land allocated for development in the 2nd Regulation 19 Local Plan.....". THE LAND ALLOCATED FOR DEVELOPMENT RELATING TO EXMO_20 HAS NOT CHANGED FROM THAT IDENTIFIED IN THE FIRST REG 19 LOCAL PLAN. THE FACT THAT OUR COMMENTS CONTINUE TO BE IGNORED CANNOT AND SHOULD NOT BE ALLOWED. For further proof of this, I bring to your attention the red text on pages 42 and 43, as this text does not belong in this document. The data should have been changed to be correct, not left as it is with an additional CONFUSING bit of text. This highlights a total lack of document version control within EDDC.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that the Planning Inspector and EDDC are aware of the publics views and concerns.

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF December 2023. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, and still applicable when this site was allocated on the 3rd September 2024, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should never have been included, so remove it from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023. It also conflicts with policies TR01 and TR03 along with paragraphs 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking, and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation, as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location, topography (a steep sloping site from North to South), and Exmo_20's B3179 access arrangements, would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan. In the Strategic Flood Risk Assessment Level 1, Withycombe Brook is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. It is clear that the LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to the First Regulation 19 consultation that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to

development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". PLEASE NOTE; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the First regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Draft Local Plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt. What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and it is to be noted that in more rural areas (which Exmo_20 is) cats can roam over 2km, and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased

visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." PLEASE NOTE : I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable. The mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plans HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without any opportunity being given for it to be reconsidered), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select. It should also be noted that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA

demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. PLEASE NOTE ; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that the public are listened to with regards to this site, instead of being ignored.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and over 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is unsuitable, unsustainable and not viable. This needs to be recognised.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF December 2023. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, and still applicable when this site was allocated on the 3rd September 2024, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Draft Local Plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that this site is removed from the Draft Local Plan.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023. It also conflicts with policies TR01 and TR03 along with paragraphs 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking, and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation, as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location, topography (a steep sloping site from North to South), and Exmo_20's B3179 access arrangements, would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: So that my voice is heard and finally listened to.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan. In the Strategic Flood Risk Assessment Level 1, Withycombe Brook is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. It is clear that the LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that our voices are heard, and to get answers to questions that have not been provided by EDDC.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to the First Regulation 19 consultation that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to

development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". PLEASE NOTE; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To get this site removed from the plan and to ensure that our voices are finally heard.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the First regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the Draft Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To get someone to finally listen and that can get the EDDC to realise that this site should be removed from the plan.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site is not suitable, sustainable or viable. Remove from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To get someone to finally realise that this site is not suitable, sustainable or viable, and to get it removed from the plan for good.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt. What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Take Exmo_20 out of the Draft Local Plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that the public are taken note of.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and it is to be noted that in more rural areas (which Exmo_20 is) cats can roam over 2km, and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased

visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." PLEASE NOTE : I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that my comments are finally listened to.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable. The mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plans HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without any opportunity being given for it to be reconsidered), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select. It should also be noted that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA

demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. PLEASE NOTE ; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that my voice is heard.

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and over 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF December 2023. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, and still applicable when this site was allocated on the 3rd September 2024, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: This site should never have got this far, remove it now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023. It also conflicts with policies TR01 and TR03 along with paragraphs 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking, and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation, as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location, topography (a steep sloping site from North to South), and Exmo_20's B3179 access arrangements, would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan. In the Strategic Flood Risk Assessment Level 1, Withycombe Brook is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. It is clear that the LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site is not suitable, sustainable or viable. Remove it from the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to the First Regulation 19 consultation that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to

development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". PLEASE NOTE; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the First regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from this plan for good.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site is not, suitable, sustainable or viable. Please take it out of the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt. What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The council need to finally take account of not only the public's views but also those of key organisations such as DWT, the RSPB, East Devon Natural Landscapes etc. Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and it is to be noted that in more rural areas (which Exmo_20 is) cats can roam over 2km, and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased

visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." PLEASE NOTE : I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do the right thing and remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1 st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. PLEASE NOTE THAT I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Exmo_20 is not suitable, sustainable or viable, and this Council knows it. Yet they continue to promote it because it can help them meet their housing quota.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposal of site Exmo_20 is in conflict with paragraph 11.6. This is a large development of between 700 to 1000 homes. The majority (if not all) of this site is NOT within 800m (approx 10 mins walk) of any existing key services and facilities. There are no plans to provide significant key services on site so residents will likely need to drive over two miles (via the B3179) just to access them within Exmouth or neighbouring settlements. They will also need to travel over 4 miles to access Exmouth town centre and its railway station. The topography of the site does not promote walking or cycling, especially not for main shopping, doctors, dentists, school, etc.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove site Exmo_20 from the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is remote from the town centre and is not suitable, sustainable or viable and needs to be removed from the plan now.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocating Exmo_20 is in conflict with policy TR01. No matter what the developers say, walking and/or cycling will not be the first choice of transport from this site for people to do their shopping/ work/ school run etc. because the distances are too far. The studies cited in the Local Plan show that most people prefer to walk if their destination is within 0.5 miles, however, beyond the distance of 1 mile cars are the dominant mode of travel and that beyond 2 miles trips on foot are few. If people live at the Northern part of this site, they will have to walk nearly 0.5 miles to get to the bottom of the site. Exmo_20 is by its position remote, and people will have to travel significantly further than 0.5 miles or even 1 mile to get to essential infrastructure and services. Based on this, walking or cycling as first choice of transport is unviable. Providing walking routes, cycle paths or public transport will not alleviate the amount of car journeys this development would generate, especially taking into account the steep local topography and the distance people will have to travel to access essential infrastructure and services.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site needs to be removed from the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is on the edge of Exmouth and will not promote walking and cycling no matter what the developer says. You need to see this proposed site to understand this.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is in conflict with paragraph 11.2. There are two proposed access points for this site. One to be created at the South of the site via the existing Southern Wood cul-de-sac but only to accommodate 'modest' development, with the other access point being at the North of the site for the 'majority/bulk' of the development via the B3179. This will increase travel needs and necessitate cars to take longer routes for the majority (if not all) of the site. The main vehicular access point (B3179) is at the very northern edge of the site, adjacent to the Pebblebed Heath (SAC/SPA/SSSI). Due to the mandatory 400m buffer zone to SAC/SPA/SSSI no housing is permitted within the top 400m, resulting in approximately 0.3 of a mile drive just to get from the site entrance to the housing. This would result in upwards of over 0.5 miles of 'on site' driving for most people every time they went out anywhere and returned home. In addition to this, from the B3179 site entrance you need to drive between 4.0-4.3 miles to get into Exmouth centre. Exmo_20 is a large site and its positioning does not promote less travel, nor will it do anything to reduce traffic congestion in and out of Exmouth. This site is not sustainable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site is not suitable, sustainable or viable and needs to be removed from the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is not suitable, sustainable or viable and will only increase car journeys onto already congested local routes.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is in conflict with paragraph 3.34: Although Exmouth is classed as a tier 1 settlement, it does not have sufficient infrastructure and services for the existing population. Even if the proposed development brings financial contributions towards infrastructure etc., it will not add another Doctors surgery or Dentists surgery - both of which are already insufficient for the current population of Exmouth. Neither will it provide another secondary school - numerous children already have had to travel to Cranbrook for secondary school provision due to there being no capacity at Exmouth Community College. The existing sewerage system in Exmouth cannot handle the current population, with sewage being discharged into the sea on a very regular basis, with 'closed for swimming' notices becoming a regular feature on our beach. Not a very good advertisement for a seaside tourist spot! Exmouth's sewerage problems have already been highlighted on national news several times.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Just because Exmouth is classed as tier 1 does not mean that it can continue to expand to meet the government numbers. Exmouth has already reached its limits and this continued push to expand when it cannot cope will destroy our town.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposal to allocate site Exmo_20 is in conflict with paragraph 2.6; The land proposed for development under Exmo_20 is currently open countryside, with a grade II * listed Church and churchyard at the middle of it. This is not a 'modest' development. It is a 'very large' development within a rural part of East Devon.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is not suitable, sustainable or viable and needs to be stopped now. It also does not fit into the "vision".

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Site Exmo_20 is in conflict with policy PB04. The Habitats Regulations Assessment (dated 30.01.25) confirms that there is “currently not sufficient certainty to rule out advert effects in integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA).” This site sits on the edge of the East Devon Pebblebed Heaths SAC/SPA, and with the proposed ‘majority/bulk’ of the traffic from this site going onto the B3179, the air quality will not be improved.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The air quality will deteriorate significantly with the development of this site and needs to be stopped now before it is too late.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Site Exmo_20 is in conflict with paragraph 2.10, objective 8. It will adversely affect the natural environment and result in the loss of a considerable amount of land that provides an abundance of biodiversity, both on site and on the adjacent SAC/SPA/SSSI.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: If this site goes ahead it will destroy a large area of land that provides an abundance of biodiversity, and we will never be able to get this back. It will be another area of natural beauty that is gone forever.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed site Exmo_20 is in conflict with paragraph 13.23. The whole of this site lies within an identified 'Strategic Nature Area' (SNA 368) on the Nature Recovery Network. It is part of the Local Nature Recovery Strategy aimed at combining existing wildlife sites and extending habitats. It provides connecting habitats and wildlife corridors between the Pebblebed Heaths at the north of the site through to the woodland at the south and beyond, all of which would be adversely impacted by the development of this site. The amount of wildlife that utilises this land and the nearby SSSI Pebblebed Heaths is diverse. Of particular note is the Nightjar, a qualifying feature of the East Devon Heaths SPA, and studies show that these fly up to 7km from nesting sites to feed at night. Loss of foraging habitat or disruption of routes to feeding areas could undermine the conservation objectives of this SPA. A 20% BNG WILL NOT REPLACE THE DESTRUCTION THAT THIS SITE WILL CAUSE!!

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is not suitable, sustainable or viable. It will also destroy the wildlife habitat and the area itself.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposal for Exmo_20 is in conflict with paragraph 13.9. The NATIONAL PLANNING POLICY FRAMEWORK defines 'irreplaceable habitat' as "habitats which would be technically very difficult (or take a significant time) to restore, recreate or replace once destroyed". Exmo_20 will cause loss of irreplaceable habitats. It has a great number of mature trees, which provide unique micro habitats and their loss cannot simply be mitigated by planting new trees. This site also contains many long-established hedgerows across the site, the lengths of which are considerable. The trees and hedgerows have high intrinsic biodiversity value providing habitats and wildlife corridors, and even if the developers promise that space can be left around them, degradation and fragmentation of habitat is unavoidable. The variety of wildlife that abound in these fields, trees and hedgerows will undoubtedly be affected by this development. Of particular note is the Nightjar, a qualifying feature of the East Devon Heaths SPA, and studies show that these fly up to 7km from nesting sites to feed at night. Loss of foraging habitat or disruption of routes to feeding areas could undermine the conservation objectives of the SPA. The whole of the Exmo_20 site lies within an identified 'Strategic Nature Area' (SNA 368) on the Nature Recovery Network, part of the Local Nature Recovery Strategy aimed at combining existing wildlife sites and extending habitats. It provides connecting habitats and wildlife corridors between the SSSI Pebblebed Heaths at the north of the site through to the woodland at the south and beyond, all of which would be adversely impacted by this development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is not suitable, sustainable or viable. This development will destroy the “irreplaceable habitats” that abound on this site.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Proposed site Exmo_20 is in conflict with policy OL01. The site is distinctive for its dark skies, tranquillity and wildness. In addition to light from the proposed housing development itself, with the 'majority/bulk' of this sites access being at the B3179, directly opposite the SPA/SAC/SSSI, would cause a significant flow of car headlights destroying the darkness across the entire length of the site and all shining directly onto the Pebblebed Heaths as vehicles exit the site. The area around St John in the Wilderness church is characterised by its remoteness, tranquillity, and the dark skies (especially when within the churchyard itself). This provides a 'wilderness' setting integral to the grade II* listed church which would be lost forever by having a housing development encircling it, regardless of any buffer zone being provided.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site is not suitable, sustainable or viable, and should be removed from the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is already not suitable, sustainable or viable.

However, the amount of buffering that would be needed to retain the setting of the Church is substantial and just compounds the issues on this site.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Proposed site Exmo_20 is in conflict with policy HE02 - this proposed site is a 'very large' development of between 700 to 1000 homes. The majority of these homes will surround the Grade II* listed St. John in the Wilderness Church and will have significant adverse effects on the remoteness and tranquillity that is so unique to this church, its surroundings and the churchyard. This development will drastically alter this peaceful and tranquil setting, not only for the congregation, but also the numerous visitors that come to pay their respect's to their relatives in the churchyard and to see the church and its setting.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site is not suitable, sustainable or viable and needs to be removed from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The council and the developer state that the views from the church will not be impacted. Yet they carried out site visits in the Summer and

state that there will be limited change of views in the winter. This is not correct. This impacts the suitability and viability of this site.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Proposed site Exmo_20 is in conflict with policy OL05. The main access point for this site (via the B3179) is between 4 and 4.3 miles from the centre of Exmouth and only 2.2 miles from the centre of Budleigh Salterton, making Budleigh significantly more accessible to the residents of this development. The access arrangement for the site leads naturally down the B3179 into Budleigh Salterton High Street, but to get into Exmouth will mean travelling twice the distance and having to go around the edge of Exmouth to get back down into it. The High Street, Doctor's surgery, Dentists, schools, beach etc in Budleigh would be the most accessible and obvious choices for residents of this site. Currently Exmouth and Budleigh are separated in terms of functionality but this development would effectively merge the two, with residents living in one town whilst relying on day-to-day services and infrastructure of the other.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is not suitable, sustainable or viable and need to be removed from the plan now.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Proposed site Exmo_20 is in conflict with paragraph 3.30. The settlement boundary around Exmouth has been extended to include not only the land which housing will be built on but also to include the 400m buffer zone adjoining the Pebblebed Heaths, effectively defining this land as acceptable for development. Although housing cannot be built on the buffer zone, by including it within the settlement boundary indicates that it may be available for other kinds of development. Therefore, the plan fails to robustly protect against adverse effects of recreational use etc, in relation to the SSSI Pebblebed Heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The 400m buffer zone needs to be removed from the settlement boundary and the policy map.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: There are multiple concerns regarding the 400m buffer zone and these need to be heard and addressed.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Proposed site Exmo_20 is in conflict with policy AR01(B). The proposed site sits upstream of Exmouth on the main rainwater catchment area of Withycombe Brook. The subsoil is heavy clay, the impermeable nature of which makes soakaways ineffective, with the land often being waterlogged. Development on this steep site would significantly exacerbate the already identified flood risk through the lower lying land at the bottom of the site and down through Withycombe village.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is not suitable, sustainable or viable and should be removed from the plan now.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with NPPF Chapter 3. Exmo_20 was deemed "not suitable or achievable" within the HELAA Report November 2022. This site has never been either preferred or 2nd choice and was therefore NOT put forward for the Regulation 18 consultations. At the Strategic Planning Committee meeting on the 3rd September 2024, the site was 'recreated' as a result of sites Exmo_20a and Exmo_20b being put forward as allocated. The site Exmo_20 has NEVER been consulted on or put forward as a 'whole site', since it was deemed 'not suitable or achievable' in the HELAA report back in November 2022, and as of the 3rd September 2024 there has been no further consideration or representation permitted by the public or the strategic planning committee, despite numerous requests to do so.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site has been incorrectly handled throughout Reg 18 and Reg 19 and it needs to be removed from the plan.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. Exmo_20 was deemed "not suitable or achievable" within the HELAA Report November 2022. This site has never been either preferred or 2nd choice and was therefore NOT put forward for the Regulation 18 consultations. At the Strategic Planning Committee meeting on the 3rd September 2024, the site was 'recreated' as a result of sites Exmo_20a and Exmo_20b being put forward as allocated. The site Exmo_20 has NEVER been consulted on or put forward as a 'whole site', since it was deemed 'not suitable or achievable' in the HELAA report back in November 2022, and as of the 3rd September 2024 there has been no further consideration or representation permitted by the public or the strategic planning committee, despite numerous requests to do so.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I have provided a "main evidence" file to support other

issues that I have identified and it also covers this comment. Site Exmo_20 has been mishandled from the Reg 18 stage in 2022, and continues to be within the Reg 19 stage. This site should not be part of the plan, remove now.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan has not been in accordance with the PCPA 2004 Section 33A. Exmo_20 was deemed 'not suitable or achievable' within the HELAA Report November 2022. It has never been either preferred or 2nd choice, therefore the site was NOT put forward for the Regulation 18 consultations. Therefore, the public and relevant stakeholders including Statutory Bodies (e.g. Natural England, Devon County Council, etc.) have not had a chance to consult on site Exmo_20 before the Reg 19 stage.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I have provided a "main evidence" file to support other issues that I have identified and it also covers this comment. Site Exmo_20 has been mishandled from the Reg 18 stage in 2022, and continues to be within the Reg 19 stage. This site should not be part of the plan, remove now.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Site Exmo_20 is in conflict with policies SP01, TR03, OL09 and OL05, along with paragraphs 11.2 and 3.34. The description in the Draft Local Plan for Exmo_20 in relation to the vehicular access is ambiguous and open to interpretation. It states that 'Vehicular access to accommodate modest levels of development, will be allowed for southern site parts from the road Southern Wood.... Primary vehicle access to the site, serving the large majority/large bulk of development, will be from the B3179 to the North'. So 'modest' can be anything from 0% to 49% of development (0 to 343 homes), and 'bulk' can be anything from 51% to 100% of development (357 to 700 homes). I have asked for clarity with regards to the vehicular access for Exmo_20 on numerous occasions without any further clarification forthcoming (see attached evidence for an example of this). Due to this uncertainty I have been pushed to raise numerous submissions to cover all possibilities. This submission relates to the 0% and 100% option. This means that ALL vehicular access will be from the North of the site via the B3179. This will result in ALL of the residents having to travel over half a mile just to get out of the site, then another 4.3 miles to get to Exmouth town centre , or 2.2 miles to Budleigh Salterton town centre.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Exmo_20 is not suitable, sustainable or viable and needs to be removed from the plan now.

Full name: Nigel Humphrey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Site Exmo_20 is in conflict with policies SP01, TR03, OL09 and OL05, along with paragraphs 11.2 and 3.34. The description in the Draft Local Plan for Exmo_20 in relation to the vehicular access is ambiguous and open to interpretation. It states that 'Vehicular access to accommodate modest levels of development, will be allowed for southern site parts from the road Southern Wood.... Primary vehicle access to the site, serving the large majority/large bulk of development, will be from the B3179 to the North'. So 'modest' can be anything from 0% to 49% of development (0 to 343 homes), and 'bulk' can be anything from 51% to 100% of development (357 to 700 homes). I have asked for clarity with regards to the vehicular access for Exmo_20 on numerous occasions without any further clarification forthcoming (see attached evidence for an example of this). Due to this uncertainty I have been pushed to raise numerous submissions to cover all possibilities. This submission relates to the 49% and 51% option. This means that the site will effectively be split into two, as access to the North and South of the sites will have to be restricted to stop residents utilising both access points. This highlights new 'major' concerns for the Southern Wood access point, as this means that a development the same size as currently accessing Dinan Way from Meadowview Road, will be coming through Southern Wood (currently a cul-de-sac), onto Meadowview Road then onto Dinan Way. So, 'doubling' the amount of traffic currently using these routes which are already congested. This will still result in the majority of residents having to travel over half a mile just to get out of the site, then another 4.3 miles to get to Exmouth town centre, or 2.2 miles to Budleigh Salterton town centre.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Site Exmo_20 is not suitable, sustainable or viable and needs to be stopped now.

Full name: Chrissie Hunn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: ///
Continued from 69933b4cd22e167662e672f0 ///

Over the years the Village has grown and changed. The only area that has relatively unchanged (apart from some former buildings and railway line) is the area that borders Littleham including site Exmo_17 with its long agricultural history. On the proposed plan, very little detail is given regarding the local listed church compared to other sites that have been rejected. St Margaret's and St Andrews Church, which borders the site is grade 2* which carries much more of a historical significance. The plan states is that there is a listed Church to west of site and is of prominence in views and setting for southerly parts of the site as much of the site is remote from church. The site is not remote from the church. The church forms part of the special distinctive village and rural country feel of the whole site and is a significant heritage asset and has a direct impact on potential scope for accommodating residential development. To have an intensification of urban activity and vehicle movements, could adversely impact on heritage value as could other aspects of urbanisation. One example would be the potential over use of the public access through the churchyard, from the site to Littleham Road, south of the site.

On the proposed plan it also states that there are no other identified designated heritage features that would impact on site. However, when looking the Historic Environment Records (HERS) there are multiple HER Monuments. The first being that Littleham is the bounds of the original Saxon Manor (MDV41872). The current parish boundaries are unchanged since *** Personal details have been removed *** the Confessor or possibly earlier and the site has always been rural. Others include the 19th Century churchyard (MDV112441); the Exmouth to Budleigh Salterton Branch line Railway (MDV22498); Pond to the East of Capel Lane shown on previous maps including the Littleham Tithe Map of 1844 and is on current OS and Google maps (MDV111969); Extraction Pits on northern part of the site, of probable Post Medieval to Modern Earthwork Pit on aerial photos of 1950 onwards and LiDAR 1998-2012 (MDV106427 and MDV106428); Extraction Pit to the South East of probable Post Medieval to Modern and is visible as an earthwork pit on aerial photos 1946 onwards and on digital LiDAR images 1998-2012 (MDV196331); Pond to the South of Salterton Road on Tithe Map of 1844 and OS Maps (MDV111967); Extraction Pit to the Northwest (MDV106423); possible field boundary to south of Liverton Business Park. Potential Medieval to Post Medieval and visible as a two Cropmark Bank on aerial photos in 1969 (MDV106429); possible Early Medieval to Post Medieval field boundary to the south. Visible as a cropmark ditch on aerial photos in 1969; Orchard Banks to the North of St Margaret's and St Andrew's Church, Littleham. Orchard is likely Post Medieval to Modern. Linear earthwork banks on aerial photos 1946 onwards and digital images taken in 2010 (MDV106422); Earthwork Pit to the north of St Margaret and St Andrews Church, Littleham. Probable Medieval to Post Medieval in origin and is visible on aerial photographs 1950 onwards and LiDAR images 1998-2012. This could possibly be the former Manor House built in the 15th Century and known as The Lords House; and Buildings to the East of Capel Lane (MDV111334). Local to the site are several other listed buildings. These are the Lichfield Gate to the churchyard (grade 2) near the bottom of Littleham road and 1-5 Castle Cottages (grade 2 and HER Monument (MDV51057) which are visible from the site and near potential access to the site. Further away in the village are, Littleham Tithe Barn (grade 2), Mundy's Farm and cottage (grade 2), Green Farm (grade 2) Prattshayes Farm (grade 2) and 2 sets of Gate piers and iron gates at Prattshayes. The churchyard which borders the site contains several prominent resting places including the tomb of Lady *** Personal details have been removed *** as well as war graves. Littleham Village on the current neighbourhood plan is a potential site for a new conservation area, which it deserves to be. Ecological In the NPPF paragraph 174, planning policies, and decisions should contribute to and enhance natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity; recognise intrinsic character and beauty of the countryside and its wider benefits. The site is seen as being favourable from an ecological perspective on the proposed plan. However, many ecological considerations have not been considered.

National Landscapes positively enhance their beneficial use, provide access and opportunities for recreation, as well as retain and enhance the landscapes visual amenity and biodiversity. The site may not be part of the Pebblebed Heaths on Woodbury Common, but the site does act as a wildlife corridor towards this and is in the National Landscape. From site Exmo_17, you can access Woodbury Common, which is not far away for wildlife. Site Exmo_17 is also near World of Country life, that promotes the local habitat for bees and other insects. Also at night site Exmo_17 does not suffer from artificial light pollution, which helps to support our nocturnal wildlife. Paragraph 176 in the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest level of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and are given great weight to avoid or minimise adverse impacts on designated areas. There are many local features of interest, notably mature hedgerows, and trees, including Oak trees, which help support the local wildlife. The site is near local woodland and the bordering churchyard offers a biodiversity of local flora and fauna including a habitat for butterflies, birds, bats, and other insects. In certain parts of the churchyard, the grass is not cut to help provide biodiversity. The churchyard also contains a natural burial ground which backs onto site Exmo_17.

On first looks of site Exmo_17, agricultural fields are seen, but on further inspection, the site offers a well-known wildlife habitat for various species including bats, various birds including Green Woodpeckers, badgers, deer, dormice, adders, rare wood crickets, butterflies, dragonflies, and plants. This is signposted on the information boards along the cycle path and walkway that runs through the site. To develop this site would have a vast detrimental affect on the local wildlife that would permanently destroy their habitats. NPPF paragraph 180 when determining planning applications consider if significant harm to a biodiversity resulting from development cannot be avoided, adequately mitigated, or compensated for it should be refused. This is further supported by the Governments 25-year Environment Plan which sets out goals for improving the environment within a generation and leaving it in a better state. Also, the current landowner of site Exmo_17 Devon Clinton Estates on their website states the following: “Doing today what is right for tomorrow”; “By handing on the land to future generations in a better condition”; “By investing in the local community” and “Everything we do is with tomorrow in Mind”. To continue these principles, site 17 should not be developed. The site should be protected from development and the local wildlife habitats and landscape saved for future generations. It is also important to recognise that (P35 paragraph 120b of the NPPF) when making effective use of land,

some undeveloped land can perform many functions such as wildlife, recreation, flood risk mitigation, carbon storage and food production.

The East Devon National Landscape Support farming in the National Landscape to help protect habitats, species and support local communities in sustainable farming. Over 90 percent of the UK population live in areas where local government has declared a climate emergency. With native species and habitats in decline like never before, National Landscape partnerships have made a formal commitment of their own to increase scale and pace of delivery of nature in form of the Colchester declaration. Therefore, how can Exmo_17 be considered for development. It is used for farming and wildlife is abundant there.

Accessibility on the proposed plan it is stated that parts of site fall within 1600m of facilities; parts of the site are close to a frequent bus service and that Littleham village is to the south of the site with an industrial estate to the north, though it is across a busy main road. There is no mention that site Exmo_17 is outside the town boundary and is one of the furthest sites away from the town centre. The closest bus service predominantly only covers Exmouth. Buses to Sidmouth are infrequent and to go to Exeter, the best option is to catch the 57 buses from Littleham Cross, which is at least a 25-minute walk away from the closest part of the site. The closest supermarket would more than 1600 metres from the mid to furthest part of the site. There are no shops in Littleham Village and the only amenities are the pub and tearoom. The local primary school on the furthest part of the site would unlikely be in walking distance. The only secondary school is most definitely not in walking distance and the local bus does not go near the secondary school. The secondary school is in cycle distance along the cycle path after Littleham Cross but may not be suitable after dark due to it backing onto gardens from both sides with limited street lighting. The local train station is in the town centre, which is a lot further than 1600 metres from the closest site and would be at least a 60-minute walk. There is no pathway along Castle Lane and no pathway directly outside the site on Salterton Road. The main accessibility along the site is from the cycle path and walkway. Traffic through Littleham can be busy when Devon Cliffs and World of Country life are open. Most employment opportunities are in Exeter, and there are only 2 main roads out of Exmouth due to its location, which are already struggling with excess traffic and will only worsen with more development.

Site Constraints on the proposed plan it states that there are no significant site constraints, but there would be expected local constraining within the site due to its size. I disagree with this. This site does have significant site constraints. Firstly, the sites

ecological value to the local habitat and wildlife which would be permanently destroyed if development was to go ahead. Secondly the green infrastructure of the former railway line which is now part of the well-established cycle path and walkway. It forms part of the National Cycle Network (Sustrans) NCN2 from Dover to St Austell and the international Tour de Manche between Plymouth and Poole. This is a valued form of green infrastructure valued by not only the local community, but further afield as well. There are 9 design principles to be on the Sustrans including its attraction and enhanced ecological features as well as being safe and accessible traffic free paths. Its currently a free to use and safe path for cyclists and walkers of all ages and accessibility needs, with no risk of potential harm from vehicles. It also helps to support both health and wellbeing of the community, deliver wider benefits for nature and support efforts to address climate change (an issue raised in the NPPF, p27 paragraph 92c and p28 paragraph 98). This could easily be lost through development due to having to meet set criteria. Paragraph 100 p29 of the NPPF, discusses that planning policies and decisions should protect and enhance public rights of way including current access links to national trails. It is proposed to have a road go straight through this network, which will severely impact on the safety of children, dogs, wildlife, families, walkers, runners, cyclists and those who use mobility scooters who use the cycle path and walkway. Are cars really going to stop to let people pass? The site is boarded by both a busy road and 2 lanes, which would struggle to cope with increased traffic as well as adding to increase both environment and noise pollution. There are very limited foot pathways with none on Castle Lane (and unlikely to be) and none outside the site on the busy B3178 (Salterton Road). The only lane that has footpaths is Capel Lane, although not along its full length. Within site Exmo_17 there are mature hedgerows and trees including Oak, with 2 trees having a TPO. North of the site is the SWW underground reservoir with evidence of possible private piping near this on the site. Devon Air Ambulance are also known to use part of the site to land the helicopter in an emergency for this side of Exmouth. The site also contains multiple HERs and borders the local grade 2* church and its surrounding 12-acre churchyard.

Inappropriate development in green belt land including National Landscapes is treated as being harmful and in paragraph 144 of the National Planning Policy Framework (NPPF) paragraph 172, is a reason for refusal in general development control in National Landscapes. The Exmouth Neighbourhood Plan argues against any development outside the current BUAB due to the amount of housing development within Exmouth without any provision to improve local infrastructure and does not support any development outside of the BUAB.

According to the National Flood and Coastal Erosion Risk Management strategy for England and the South West River Basin Direct Flood Risk Management Plan 2021 to 2027 (December 2022 by the Environment Agency), Littleham is in a flood risk area (FRA). Due to its location, Littleham and parts of site Exmo_17 are at risk of fluvial flooding from the Littleham Brook, surface water flooding from runoff and flooding from the drainage network due to the inability of the sewage network to cope during high rainfall and tidal locking. All forms of flooding impact on the local area including the environment, listed buildings, homes and businesses. Littleham, as per the government website, is currently a high-risk area of surface water flooding. Littleham and part of site Exmo_17 is in a high-risk fluvial flood zone, which is greater than 3.3% Annual Exceedance Probability (AEP) and not flood zone 2 which is 0.1% AEP on the current draft plan. Within Littleham village there is a history of flooding from the Littleham Brook and surface water runoff from Castle Lane and the Devon Cliffs access road to the south. Replacement of the road culvert has alleviated much of this flooding, but there is still surface flooding in Maer Lane. Due to the area becoming more urbanised, resulting in more surface water runoff and the aging drainage infrastructure there is an increase in risk level. This will only worsen with more development and climate change. Rainfall intensity is expected to increase in the future and cause higher river flows and levels with rapid run off from upper catchments and more flooding. The middle part of Littleham Brook flows through an urban area which will see an increase in flood frequency and impacts. This is also partly due to the limited scope to increase the capacity of the structures that cross through Littleham Brook which may further constrict flow. Tide locking of the outfall of Littleham Brook into the sea will also occur more frequently due to sea level rise. It is also expected to frequently overload the aging sewage network, placing a greater reliance on pumped systems to disperse the drainage and an increase in pollution. Flooding is also discussed in the NPPF chapter 14 that inappropriate development in areas at risk of flooding should be avoided by directing development from higher risk areas, so as not to increase flood risk elsewhere. All plans should apply a sequential risk-based approach to location of development and consider all sources of flood risk both now and in the future and to safeguard land from development that may be required for future flood management.

Site Opportunities Site Exmo_17 on the proposed plan is stated as being a large-scale site, that if it is allocated for development as a whole or just parts, it would be expected that a mixed-use development could deliver a range of positive outcomes. I disagree with this. The site is currently used for farming, which is vital if we are to become sustainable. Also, with the closer proximity to Exeter, most employment opportunities are in Exeter, which has better links to other areas of the country compared to Exmouth. The site sits outside of the BUAP and is further away from the town centre. Site Exmo_18 in Exmouth, which is land directly to east of Liverton Business Park and is close to site

Exmo_17, is for employment allocation. Liverton business park tends to have smaller businesses that have lower employment numbers of staff required locally except for 3 businesses. There is currently no need for the site Exmo_17 to be developed for other employment uses and would be far better to be kept for farming, where there is a need.

Paragraph 177 in the NPPF states when considering applications for development within National Parks, the Broads and National Landscape 1permissions should be refused for major development, other than in exceptional circumstances where it can be demonstrated that the development is in the best public interest. Consideration of the following (a) need for development including in terms of any national considerations and the impact of permitting it or refunding it upon local economy; (b) cost of and scope for developing outside designated area, or meeting need for it in some other way; (c) any detrimental effect on environment, landscape and recreational opportunities and extent to which it could be mandated. Footnote 60 p51. For the purposes of paragraphs 176 and 177, whether a proposal is a ‘major development’ is a matter for the decision maker, considering its natural scale and setting and whether it could have a significant adverse impact in the purposes for which the areas has been designates or defined. There is no clear definition of a major development, but in the NPPF glossary, it is described as a site of more then 10 houses or a site bigger then 0.5 hectares. For site Exmo_17, I would consider this as being a major development in the National Landscape.

The housing that is needed in Exmouth is affordable housing for the local community, rather than new houses on the open market (this is supported by NPPF paragraph 78 p21). Brown field sites not allocated for housing, could be used as Entry level exception sites for first time buyers and those looking to rent their first home. Entry level exception sites are not permitted in the National Landscape and green belt areas (p19 paragraph 72b of the National Planning Policy Framework, 2021). As large-scale developments tend to have very little affordable housing, I can only imagine developers using this to their advantage and limiting the number of affordable homes and instead build unwanted expensive houses that the community does not need and cause a major destruction of the National Landscape. Paragraph 73 p20 of the NPPF, describes larger scale development as significant extensions to existing villages and towns, that need to be well allocated and designed and supported by necessary infrastructure and facilities including a genuine choice of transport modes, economic potential, and scope for net environmental gains. Also, when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre (NPPF paragraph 88 p25). Site Exmo_17 sits outside of the BUAB with poor road infrastructure both locally and outside of Exmouth. Public transport is poor in

this area and the site is not well served by local amenities. In the healthcare sector, emergency health care and Gp practices are struggling and there are long waiting lists to join an NHS dentist. There is only 1 local Acute Hospital in Exeter.

Due to location of site Exmo_17 in the National Landscape, the opportunity is there for further environmental net gains, provided it is kept free of development such as building on the current biodiversity and habitat protection the site offers. An economic potential is to retain the cycle path and walkway, which also supports green tourism and maintain the rest of the site for agricultural use. This helps to support sustainability and the health and wellbeing of the community.

I agree that the whole, the site would be a poor choice for allocation of development, even if only a part of it was developed considering major development within the National Landscape in appendix 2 in the NPPF a development of more than 10 houses or the site is 0.5 hectares, or more is seen as a major development. Also, the chances are high that any potential housing would be unaffordable for the local community. The site sits within open countryside inside the National Landscape and is outside of the BUAB. The site offers far reaching views and feels separate from the urban sprawl of Exmouth. The site has a local intrinsic value that is enjoyed by both the local community and those from further afield. The site has an already established green infrastructure that is enjoyed by those of all ages and abilities and is part of the well-known National Cycle Network and is a viable habitat for the various local wildlife and not of low ecological value as stated in the proposed plan. This would be permanently destroyed with development. The site also borders the grade 2* village church, which is a significant heritage asset and development of the site could have a significant detrimental effect on both the church and the surrounding graveyard and its biodiversity. There are also other grade 2 listed buildings near by as well as HERs.

For employment reasons, the site is currently used as agricultural land, which it has been for many years. To be sustainable, we need our farmland, so we can try to be more carbon neutral and support local farm businesses. If this site was developed, this would be lost forever. The site if developed, would raise significant issues about suitability and desirability of accommodating a major large-scale development in the National Landscape. The NPPF discusses sustainable development for plan making, and the application of policies in this framework seek to protect areas or assets of particular importance and provides strong reason for restricting overall scale or type of development or destruction of landscape in the National Landscape. The effects of pollution on health, living conditions, natural environment as well as the potential

sensitivity of the site that could occur from development should be identified. This includes both air quality, light pollution, and excess noise from traffic. Rejecting site Exmo_17 for development will help to protect this tranquil area which has remained relatively undisturbed by noise and pollution. The site is currently prized for its recreational and amenity value including the current habitat and biodiversity; the dark landscape at night, which can aid nature conservation and the cycle path and walkway. To develop site Exmo_17 would only lead to increase in noise, pollution and destruction of the local wildlife habitats and amenity value including the health and wellbeing of the community. Also, the site prevents the urban sprawl of Exmouth encroaching further into the much-needed countryside. In November 2022 Historic England and National Landscapes signed joint statement to manage, conserve and celebrate our iconic historic environment. This helps set a precedent on the value that National Landscapes can offer not only the local community, but nationally as well. Too much land designated in the National Landscapes has been lost to development nationally and now the government would like to increase the number of National Landscapes. Site Exmo_17 location carries a significantly high amenity value compared to sites that are not in the National Landscapes or near conservation areas. It is a both wildlife corridor for this side of Exmouth and a link to the proposed Mear Valley Park.

With the policies regarding the National Landscape and the NPPF, development should not be considered if in conflict with neighbourhood plans. Site 17 being outside of the BUAB is not supported on the neighbourhood plan.

Many sites with similar characteristics to site 17 have been rejected, with the issues raised considered significant enough to reject other sites given less weighting for site Exmouth 17. The reasons for rejection include:

- Grassland fields that are open and exposed in landscape terms and large parts have a rural rather than urban fringe character. There are some hedgerow boundaries with some mature trees. The views from the site are open and exposed, including long distance views. Easterly parts of site are remote from services and facilities and if developed would form a quite large ‘tongue of development’ projecting into open countryside with visual impacts on areas of open countryside and designated National Landscape. Exmo_17 which is in the National Landscape has far reaching views and quality land, and can be seen from the South West Coast Path. The site is also exposed and can be remote from public services.
- Proximity to a Grade 2 listed building. This reasoning has not been applied to Exmo_17 which borders the more significant higher graded Grade 2* Church in Littleham.

- High landscape value as it lies within the AONB, and impact on local listed buildings. Reasons which are also true for Exmo_17.
- Existing field forms being an attractive feature and development could affect the setting of designated and non-designated heritage assets. These reasons equally apply to Exmo_17, but have not been included in the plan.
- Being in a National Landscape and having high landscape sensitivity. Both reasons apply to Exmo_17.
- The site is bordered by agricultural fields despite local residential development providing some context of built form. Whereas this reasoning is turned upside down for Exmo_17, where the local residential development providing some context for development is used as a benefit for development. The argument cannot be used both ways.
- Development would affect the special character of local listed heritage assets. A reason which holds true for Exmo_17.
- High landscape sensitivity to new development, a reason which holds true for Exmo_17.
- Location of the site within the National Landscape and the effect of development on local heritage assets. Reasons which are also true for Exmo_17.
- Open and exposed nature of the site in terms of landscape and its rural rather than urban fringe character. These characteristics apply equally to Exmo_17, therefore should be rejected since in addition to its open landscape and rural character, also lies within the National Landscape.
- Development would have a high landscape impact and the site being within the AONB. Both being reasons against development within Exmo_17.
- Site falling within the National Landscape and having a high impact on the landscape. Despite the site being located next to a major junction and sandwiched between two main roads. Surely the landscape impact of development within Exmo_17, must be greater.
- Impact of development on landscape and heritage due its location within the AONB and the adjoining grade 2* church. This is the same situation as Exmo_17. Therefore, surely it must be rejected for the same reason. There are many other examples of this inconsistent approach to assessing the development potential of Exmo_17, which are too numerous to detail here. It is apparent that only the benefits of the development of Exmo_17 have been considered any negative impacts glossed over by the plan as it stands. Prior to adoption of the plan, a full assessment of the benefits

and negative impacts of development within Exmo_17 could only conclude that the site be rejected for development within the East Devon Local Plan.

This is an area the size of 4 football fields that stretches from opposite McDonalds right down to Castle Lane with industrial units next to Salterton Road plus 410-450 houses. There would be one access road with one exit onto Salterton Road. The access road would go straight across the old railway line which is now a well-used wide cycle and footpath.

I believe, alongside many in our community, that the natural beauty of Exmo_17 should be preserved. EDDC has a legal duty to 'conserve and enhance' National Landscape and I want to stop the loss of our precious space and natural beauty. Until very recently it had two protections to prevent building: National Landscape and Coastal Preservation Area. EDDC consulted on whether the CPA protection should be removed. Hundreds of Exmouth residents said no, but despite this, EDDC voted to remove that protection. National Landscape is of equal importance to National Parks and should not have large scale building on it. If house building and light industry on Exmo_17 were allowed, it would take away the beauty that attracts visitors to the area: tourism that the town depends upon. It would also create a precedent that could destroy areas of National Landscape that surround East Devon's coastal towns. Based on local building projects in recent times, we cannot be certain either that the 'affordable' homes will be in the reach of people on low incomes or that the number of such homes promised by the developer will actually materialise. The proposal to build industrial units next to the main road, the entranceway to the town from the East, is incongruous. It would make much more sense to add them to the trading estate on the opposite side of the road, which is owned by the same landowner.

A further fault with this location is the fact the proposed access road has only one exit (onto the main road) and would go straight across the old railway line which is now a well-used wide cycle and footpath. It would also result in the felling of mature trees and bushes and a biodiversity loss, that has not been fully considered. It would be too much of a biodiversity loss.

I believe that to destroy this beautiful landscape would be sheer folly, depriving both present and future generations of enjoyment and wellbeing. It would not be in the public interest of Exmouth to allow building on Exmo_17. EDDC are expected to be clearly demonstrate that they have considered the purposes of the National Landscape

designation in their decision which I feel they have not as why would this proposed development to get this far? This site as previously stated is protected land and not for the profit of development. Let the site continue to be protected as per the statutory laws there to protect land within National Landscapes now and for future generations.

Full name: Chrissie Hunn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: ///
Continued from 6980b6177faabad74e38a226 ///

National Landscapes are afforded the highest standards of protection in relation to landscape and scenic beauty, reflecting their importance under long established legislation. In practice permission for development can only be granted by the local planning authority national park authority or the planning inspectorate on behalf of the Secretary of State, and only in exceptional circumstances. David Reed believes that delivering homes the community needs, without sacrificing the very landscapes that make places like East Devon special.

*** Personal details have been removed ***, on behalf of the Housing Minister, ***
Personal details have been removed ***, has confirmed this in a letter to our local MP David Reed in August 2025, regarding protection of land in the National Landscape .

The Rt hon *** Personal details have been removed *** 16th December 2024, spoke about protected landscapes to be strengthened with new legislation and guidance to protect nature. This move comes amid the Government's push to promote access to nature, as part of the wider Plan for Change. New powers are to be granted to the

country's iconic National Parks and National Landscapes to boost nature's recovery and access to the outdoors. New legislation and guidance will give National Parks and National Landscapes a clear mandate to widen the public's access to nature through strengthened purposes and make changes to improve their governance that will allow for greater innovation and collaboration to prepare them for the future. The changes announced will see more trees planted, more peat restored and more habitat created, supporting Protected Landscapes to play a leading role in meeting Net Zero, Environment Act targets and the commitment to protect 30% of land for nature by 2030 as part of our Plan for Change. Covering a quarter of England's land area, improving the state of nature in our National Parks and Landscapes is vital to the health of our ecosystems. Our Protected Landscapes are home to nationally important habitats and our most iconic species – yet many are in a poor condition with the wildlife that lives within their boundaries in steep decline and the waterways that give many of these landscapes their magic now sadly polluted. The measures will include a general power of competence for National Park Authorities, which will clarify their legal framework, removing restrictions which prevent an entrepreneurial approach, and cutting through bureaucracy to remove barriers to achieving more for people and nature. The package will also strengthen the role that public bodies, including water companies, must play in delivering better outcomes for nature, water, climate and access to nature in these special places, through new regulation that will support public bodies and Protected Landscape organisations to work more closely together. Refining the purpose and powers of National Parks and National Landscapes will promote access to nature for the millions of people who visit these iconic landscapes each year, helping them to support a thriving rural economy and enable people to reap the benefits of spending time in greener and wilder places. These changes will empower Protected Landscapes to deliver more for nature and tackle climate change over the next 75 years and beyond. This reflects their vital importance to the nation – from protecting us from flooding, to celebrating our heritage and restoring our health and wellbeing. It's seventy-five years since our National Parks and National Landscapes were created, and they have done incredible work protecting some of our most treasured and beautiful landscapes. But so much of our countryside and wildlife is in decline so we must do more to protect it. To mark this anniversary the Government will introduce new laws to boost protections for the natural world, strengthen our National Parks and National Landscapes and increase opportunities for millions of people to enjoy the great outdoors. As an immediate step, the new guidance will help public bodies work together to make these special places greener, wilder and more accessible.

Natural England Chair *** Personal details have been removed *** said The 1949 National Parks Act laid the foundations for modern nature conservation, enshrining in law the means to protect dozens of exceptional landscapes and thousands of our best

wild places while bringing joy to millions of people across multiple generations. Despite the achievements, however, these legal protections have not been sufficient to prevent Nature's continuing decline. And whereas in decades past the challenge was about conservation, today we must not only hang on to what is left, but to also invest in Nature's recovery. Our countryside and green spaces are a source of great national pride, and government's commitment to delivering on nature, increasing access, planting three new National Forests, creating nine new National River Walks and empowering communities to create new parks and green spaces in their communities with a new Community Right to Buy.

The Government states that it is committed to restoring nature across the country, and announced a rapid review of the Environmental Improvement Plan, which thriving Protected Landscapes will be essential in delivering. This will set out pathways to clean up our waterways, reduce waste across the economy, plant millions more trees, improve air quality and halt the decline in species by 2030. A healthy natural environment is crucial to the nation's health and prosperity, which is why nature recovery is an integral part of the Government's Plan for Change to create a decade of national renewal. Protected Landscapes – the collective term for National Parks and National Landscapes – range from lowland landscapes, such as the Cotswolds and the Norfolk Coast, to uplands such as the North Pennines and the Lake District. Protected Landscapes contain half of England's priority habitats and Sites of Special Scientific Interest, 60% of deep peat and around 88% of heather and acid grassland habitats. Restoring our Protected Landscapes will be essential to protecting 30% of the UK's land and sea by 2030. Protected Landscapes' refers to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England. National Landscapes' is the rebranded name for areas of outstanding natural beauty (AONBs). This name change is not statutory. The Protected Landscapes duty guidance sets out how the Protected Landscapes duty is intended to operate and provides broad principles to guide relevant authorities in complying with it. Relevant authorities must now 'seek to further' the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to 'have regard to' their statutory purposes. The duty is intended to facilitate better outcomes for England's Protected Landscapes, which are in line with their statutory purposes. The duty does not prevent relevant authorities from undertaking their statutory functions and discharging their legal duties and other responsibilities. The duty is intended to complement these requirements by ensuring that the purposes for which Protected Landscapes are designated for are recognised in reaching decisions and undertaking activities that impact these areas. Exmo_17 needs to be recognised as a site of protection from development.

As previously mentioned, National Landscapes have equivalent protection to National Parks. Duty of EDDC is to ‘conserve and enhance’ the National Landscapes in our area. Despite this, they have allocated National Landscapes on the edge of Exmouth, for building a huge estate and industrial buildings. These fields serve 2 farms and their sale would make millions for both Clinton Devon Estates and Bloor Homes, opened by a billionaire. Clinton Devon Estates could have offered land on the opposite site of Salterton Road, which is outside the National Landscape. Maintaining the National Landscape protection for the community and wildlife, is more important than making money.

Consideration of what is reasonable and proportionate in the context of fulfilling the duty is decided by the relevant authority and should take account of the context of the specific function being exercised. Relevant authorities will need to apply the duty when undertaking any function in relation to, or so as to affect, land in a Protected Landscape. This may include the preparation of Development Plans and associated assessments and documents and decision making in respect of development management, planning applications and nationally significant infrastructure projects, functions outside of a Protected Landscape which may have an effect on land in a Protected Landscape. When seeking to further the purposes, relevant authorities should consider the information contained in a Protected Landscape’s Management Plan. Management Plans describe the natural beauty, special qualities and key characteristics of and targets and objectives for the designation. Relevant authorities should make efforts to understand the Management Plan and relate their functions to it. Dialogue with the Protected Landscape team (National Park Authority, Conservation Board, National Landscape Partnership, or Joint Advisory Committee) can assist the relevant authority. A relevant authority should take appropriate, reasonable, and proportionate steps to explore measures which further the statutory purposes of Protected Landscapes. As far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes. A relevant authority should be able to demonstrate with proportionate, reasoned, and documented evidence the measures to which consideration has been given when seeking to further the statutory purposes of Protected Landscapes - for example, policies, strategies, operational procedures, estate management plans, investment plans, contracts, works instructions, assessments and reports which should be able to evidence the proper discharge of the duty by the relevant authority. For development plan making and development management decisions affecting a Protected Landscape, a relevant authority should seek to further the purposes of the Protected Landscape - in so doing, the relevant authority should consider whether such measures can be embedded in the design of plans and proposals, where reasonably practical and operationally feasible.

For the development and management of land, water and estates, relevant authorities should seek to further the purposes of the Protected Landscape when designing and undertaking these activities, where reasonably practical and operationally feasible. Public authorities must also comply with the strengthened Biodiversity that the Environment Act 2021 introduced.

The statutory purposes of National Landscapes (areas of outstanding natural beauty) with Conservation Boards are conserving and enhancing the natural beauty of the area of outstanding natural beauty and increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty.

The Management Plan describes the natural beauty, special qualities and key characteristics of a Protected Landscape. This will articulate the features of the landscape which warrant its nationally designated and protected status.

The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape. Natural beauty, special qualities, and key characteristics can be highly dependent on the contribution provided by the setting of a Protected Landscape. Aspects such as tranquillity, dark skies, a sense of remoteness, wildness, cultural heritage or long views from and into the Protected Landscape may draw upon the landscape character and quality of the setting. Functional connectivity is also important where there are flows or close interconnection between the Protected Landscape and its setting, for example a shared water catchment and management of water resources; ecological connectivity where species are able to move across and between the designated and non-designated area; Rights of Way, Open Access Land and other recreational links joining the designated area to the wider countryside.

Development and the management of land, water and estates located in the setting have the potential to adversely affect the natural beauty, special qualities, and key characteristics of a Protected Landscape.

On 21st March 2025 it was published a meeting of major landowners to boost nature's recovery to discuss land management plans to meet the country's legal Environmental Act targets (Department for Environment Food and Rural Affairs and The Rt Hon Steve Reed OBE MP). It is part of Government's commitment to transform how we use land in

this country to protect the environment, support economic growth and deliver on our Plan for Change. It will play a pivotal role in supporting the Government's ambitious environmental goals, including statutory targets in the Environment Act and the commitment to protect 30% of land by 2030. With the natural world facing species decline and a biodiversity crisis, Reed called on the group for action to collectively protect and restore nature on their estates across England. Landowners must go further and faster to restore our natural world. The 'National Estate for Nature', who manage a tenth of the land in this country, have a responsibility to future generations to leave the environment in a better state. We have a unique opportunity to work together on common sense changes that create a win-win for nature, the economy, and make the best use of the land around us. Tony Juniper, Chair of Natural England talked of if we are to reverse the historic declines in nature, we must take urgent action at every level to restore nature on the ground. This group is an important first step in securing a strong commitments from landowners across the country to collaborate on managing land in a more sustainable way, for the benefit of both people and nature. We need work together to find the long-term solutions for key challenges, such as the demand for new homes and infrastructure, and the need to halt long-term biodiversity loss and recover nature.

*** Personal details have been removed ***, Director of Land and Nature at the National Trust said as the Government's Land Use Framework makes clear, a transformation in the use of land is needed if we are to meet our nature and climate targets. Only by working together will be able to restore our landscapes at the scale needed to put nature in recovery by 2030, lock up enough carbon in the English countryside to reduce greenhouse gas emissions to required levels, and prepare for the worsening impacts of climate change. We are committed to playing our part.

It represents institutions with significant holdings across the country, and associated significant potential to drive nature's recovery, a vital part of the government's national conversation about land use ahead of publishing a Land Use Framework in 2025. The broad representation also ensures that the group can draw on a wealth of expertise and experience in land management, conservation, and sustainable development, enabling them to develop and implement effective strategies for nature recovery, sustainable land use, and environmental protection. Defra will actively participate as a member, leading by example and supporting the group with guidance, resources, and coordination as they work toward meeting the Government's environmental targets. Further quarterly meetings will focus on developing and implementing agreed on-the-ground plans to drive nature's recovery. This comes following the introduction of new measures to strengthen our protected areas and meet 30by30 that show this government is committed to delivering for nature. As part of the government's

Environmental Improvement Plan (EIP), everyone, from land managers to homeowners, has a crucial role to play in restoring the natural environment.

‘Protected Landscapes’ refers to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England. ‘National Landscapes’ is the rebranded name for areas of outstanding natural beauty (AONBs). The Protected Landscapes duty is intended to operate and provides broad principles to guide relevant authorities in complying with it. Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) amends the duty on relevant authorities in respect of their functions which affect land such as in National Landscapes in England. Relevant authorities must now ‘seek to further’ the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to ‘have regard to’ their statutory purposes. The duty is intended to facilitate better outcomes for England’s Protected Landscapes, which are in line with their statutory purposes. The duty does not prevent relevant authorities from undertaking their statutory functions and discharging their legal duties and other responsibilities. The duty is intended to complement these requirements by ensuring that the purposes for which Protected Landscapes are designated for are recognised in reaching decisions and undertaking activities that impact these areas. Consideration of what is reasonable and proportionate in the context of fulfilling the duty is decided by the relevant authority and should take account of the context of the specific function being exercised. Relevant authorities will need to apply the duty when undertaking any function in relation to, or so as to affect, land in a Protected Landscape. The preparation of Development Plans and associated assessments and documents; decision making in respect of development management, planning applications and nationally significant infrastructure projects; functions outside of a Protected Landscape which may have an effect on land in a Protected Landscape; the drafting of Protected Landscape Management Plans; planning appeals and public inquiries; the drafting of Local Nature Recovery Strategies; other plans such as Neighbourhood Plans.

When seeking to further the purposes, relevant authorities should consider the information contained in a Protected Landscape’s Management Plan. Management Plans describe the natural beauty, special qualities and key characteristics of and targets and objectives for the designation.

Relevant authorities should make efforts to understand the Management Plan and relate their functions to it. They should also refer to the Protected Landscapes Targets and Outcomes Framework. A relevant authority should take appropriate, reasonable,

and proportionate steps to explore measures which further the statutory purposes of Protected Landscapes. As far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes. The statutory purposes of National Landscapes are:

- conserving and enhancing the natural beauty of the area of outstanding natural beauty. The Management Plan describes the natural beauty, special qualities and key characteristics of a Protected Landscape. This will articulate the features of the landscape which warrant its nationally designated and protected status. The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape. Natural beauty, special qualities, and key characteristics can be highly dependent on the contribution provided by the setting of a Protected Landscape. Aspects such as tranquillity, dark skies, a sense of remoteness, wildness, cultural heritage or long views from and into the Protected Landscape may draw upon the landscape character and quality of the setting. Functional connectivity is also important where there are flows or close interconnection between the Protected Landscape and its setting, for example, access for wildlife and rights of way, open access land and other recreational links joining the designated area to the wider countryside. Exmo_17 already offers this, and to build on the site, would have a detrimental affect to the area. Development can the have the potential to adversely affect the natural beauty, special qualities, and key characteristics of a protected landscape. The National Landscapes Association (NLA) is a registered charity that supports the mission to conserve and enhance natural beauty in National Landscapes and other protected areas. One of our key aims is to support and develop a network of ambitious National Landscape teams and partnerships that have a strong collective voice and a positive impact on the places for which they care. This consultation response has been developed by the National Landscapes Association in collaboration with the Planning and Place making specialist panel of representatives from across the National Landscapes network.

National Landscapes are areas whose natural beauty is so outstanding that it is in the nation's interest to safeguard them. They are also living and working environments that need to help mitigate and adapt to the impacts of climate change. However, the proposed reforms would set an expectation for a quantum of housing development, in local authority areas that overlap with National Landscapes, that is likely to result in significant harm to the natural beauty of our National Landscapes. As such, the reforms would conflict with the statutory purpose of conserving and enhancing this natural beauty. The reforms would also conflict with the statutory duty to seek to further this

purpose. Therefore, they consider that the proposed reforms would not be legally compliant in this regard.

The NLA believe that the Government's aspiration to build 1.5 million homes over the next five years can be delivered in a way that would be less harmful to the natural beauty of our National Landscapes than would be the case with the proposed reforms. In particular, the NPPF should make more explicit reference, including in paragraphs 35(a) and 61, to the fact that there may be circumstances where the protection afforded to areas or assets of particular importance, including National Landscapes, may mean that objectively assessed needs for housing development cannot be met in full.

Exmo_17 was agreed for allocating despite being a poor choice for development but in context of plan strategy directing large scale development to Exmouth on balance despite site limitation considerations allocation is seen as appropriate. Sensitive in landscape terms with extensive views south, more tranquil and more stark north, but the report fails to mention the wide views you get from the top of the site. Fields of low ecological value do still provide a habitat for wildlife. Deer have been seen in the fields. There is not a frequent bus service. Littleham village has a pub, a seasonal café but no shops.

The neighbourhood plan talks of the built up area boundary (BUAB) to cater for and contain the town and future planned development needs to protect the open countryside. There is a presumption against development in the National Landscape outside of the defined boundary. This is particularly relevant to Exmouth given the very special environment that surrounds it. However, the amount of housing development in Exmouth without the provision of adequate infrastructure argues against any development outside the boundary. The neighbourhood plan will not be allocating sites for housing outside the BUAB.

Exmouth should not be a tier 1 site as does not offer potential for accommodating growth and development. Even the EDDC are not based in Exmouth, and instead are based at Honiton. Site Exmo_17 is a large, sloped site area of open space that is to the east of the historic Village of Littleham. The entire site is within the National Landscape and sits outside of the built-up area boundary (BUAB). It contains a network of agricultural fields that are currently farmed and a well-established walkway and cycle path, as well as the Littleham Brook and multiple Historic Environment Records (HERS). In the current neighbourhood plan the National Landscape is a designation that

recognises the protection of its special landscape as being of national importance, equal to landscapes of our national parks. It also states that development outside of BUAB will not be supported.

According to the draft plan there is no direct infrastructure concerns, but if developed there would be large scale infrastructure needs. For example, exit from site Exmo_17 would create traffic chaos and the access road would go straight across the much used Exmouth to Budleigh cycle path and walkway, endangering children, families, elderly, walkers, cyclists and both dogs and wildlife. South of the site is Castle Lane, a single narrow country lane with no pavement which is in a high flood zone area (as per the current Environment Agency Flooding Plan) due to proximity to Littleham Brook and surface water run-off. West of the site is Capel Lane, a narrow road, which is sealed off to traffic 1/3 of the way up and is busy already with traffic accessing Littleham Village and the surrounding housing estate. Site 15 would have its access from Capel Lane, and this currently has a tall hedgerow across and is on one of the narrowest parts of the Lane, close to another road junction. Both Capel Lane and Castle Lane join Littleham Road which can be busy with traffic especially when Devon cliffs and World of Country life is open. Access through Littleham Village can be busy due to the bridge access near the Clinton Arms being for single traffic despite being widened in the 1930s. North of the site is B3178 (Salterton Road), a busy main road. The site access that would need to be created is opposite a very busy junction off Liverton Business Park. It is also where the local Ambulance and Fire Station is based. Recently the junction was extended to help ease traffic but has not been effective. Further down (Salterton Road) are traffic lights, but traffic lights here would be ineffective due to the increase in stationary traffic it would cause. There are no public pathways along the site's boundary with Salterton Road and it would be difficult to create a public crossing as Salterton road slopes downwards and vision would be poor for oncoming traffic. North of the site is next to a very large underground water reservoir and there is evidence of underground piping going southwards through the site, possibly a private network. There is also Littleham ponds which are evidenced on the current OS maps. Littleham Brook runs east to west, south of the site with a pumping station further up. Running east to west through the middle of the site is the former historic Exmouth to Budleigh railway line which is now a well valued cycle path and walkway. It forms part of the National Cycle Network (Sustrans) NCN2 from Dover to St Austell and the international Tour de Manche between Plymouth and Poole. This is a valued form of green infrastructure valued by not only the local community, but further afield as well. There are 9 design principles to be on the Sustrans including its attraction and enhanced ecological features as well as being safe and accessible traffic free paths. It is currently a free to use and safe path for cyclists and walkers of all ages and accessibility needs, with no risk of potential harm from vehicles. It also helps to support both health and wellbeing of the community,

deliver wider benefits for nature and support efforts to address climate change (an issue raised in the NPPF, p27 paragraph 92c and p28 paragraph 98).

The site sits outside of the BUAB and is further away from local amenities and the town centre. The local historic Littleham village contains a pub, 2 community halls and a seasonal tearoom, but no shops. The closest supermarket and post office from the furthest part of the site would be more than 1600 metres. There is a small Primary School in Littleham but would be some distance from the furthest part of the site. Other primary schools and the only secondary school would not be within walking distance. The bus service is unreliable and the only bus directly to Exeter is now mainly from the town centre (a good hours walk from the closest area of the site). The closest train station is on the outskirts of Exmouth town centre and therefore not local to the site. These issues alone would add to more burdening traffic and an increase in pollution and carbon emission.

Site Exmo_17 is protected by the Countryside and Rights Of Way Act 2000 (CROW). It protects the land to conserve and enhance its natural beauty. AONB require good quality scenic landscape that is relative wild due to distance from housing or having few roads, where natural sounds is predominant. It can also include natural heritage features such as habitats and cultural heritage. I agree that the site is very sensitive in landscape terms due to its location and visual prominence. The whole site sits within the National Landscape and sits above the local built-up area. The fields are currently used for agricultural use by the local farms and is rated as good to moderate. The site slopes north to south which offers extensive views into and out of site including from looking into and out of the National Landscape the Southwest Coast Path. The whole site which was part of the Coastal Preservation Area, but now borders onto the Jurassic Coastline which is part of the UNESCO World Heritage Site. I disagree that the higher northerly parts are starker, as further north of the site offers some of the best views in Exmouth of the far-reaching views of the AONB, Maer Valley and coastline. The whole site has a particular tranquillity of peace away from traffic and the built-up areas of Exmouth and a distinctive rural countryside feel, that over the years, other areas of Exmouth has lost to development. The site is also intimate in nature with mature hedgerows and trees, including 2 trees with a TPO. Littleham Brook south of the site, also supports the local natural habitat. The site boarder's local woodland areas, private gardens, and the local churchyard. Currently the churchyard west of the site is an established biodiversity for the local flora and fauna. The whole site offers a habitat as well as a wildlife corridor for local wildlife including Bats, Birds, Hedgehogs, Deer, and Badgers. Looking at the Valley Parks and working draft plan for Exmouth, Exmo_17 is a suggested area of land of local amenity importance due to being outside of the BUAP

and in the National Landscape and could easily join up to the Maer Valley Park, a supposed greenspace for the community to access and enjoy. The site would also make a wonderful Dark Night at Skies protected area due to having very little light pollution facing eastwards and the only light comes from the odd farmhouse. The dark skies also help to support the local nocturnal wildlife. Paragraph 84 of the NPPF supports the need of open space. Exmo_17, being in the National Landscape offers the open space for free and for anyone to access.

Historic Littleham has a long significant history and is older than Exmouth. It was a Saxon subdivision with its own court and was retained by the Kings of Wessex until the 11th Century when it was given by *** Personal details have been removed *** the Confessor to his Master *** Personal details have been removed ***, who then passed it onto the Monastery (Horton in Dorset 970 AD) who held it until the Dissolution of the Monasteries, before descending into the *** Personal details have been removed *** Family and *** Personal details have been removed ***. The area has historically been forested and agricultural and used by local Farms including Liverton and Woodlands, once part of the Manor of the Wade in the 1300s. The *** Personal details have been removed *** family are also well linked to the area, having lived at the now Prattshayes in the village, funded the Drake Aisle in the church and being buried there. It's mentioned in the Domesday record of 1086.

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Full name: Chrissie Hunn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am greatly concerned about the proposed local plan of building over 400 houses and industrial units on the fields, that are on a protected area of the National Landscape on the eastern edge of Exmouth (Exmo_17). This site is outside the Exmouth Town Build Up Area Boundary (BUAB), that was agreed in the Neighbourhood plan in 2015. The Plan was to provide the community's vision for the future until 2031 and set out clear planning policies, to realise the vision and to sit alongside the East Devon Local Plan (EDLP) at the same time, carrying equal legal weight. The Neighbourhood Plan appears to of been ignored in the new draft version of the EDLP. As required by the Localism Act, the Neighbourhood Plan is accorded with higher level planning policies. The Plan is concerned with land use and its policies to help inform future planning applications. Site Exmo_17 would never have been considered for development in the Neighbourhood plan and the idea of a large-scale housing development, goes against the views of the local community. Both East Devon County Council (EDDC) councillors and Clinton Devon Estates (the landowner) have not listened to the views of the community and appear to be pushing this development through. To have Bloor Homes, the potential house builder holding public consultations, when the new Local Plan has not been finalised and planning requests for screening opinion and EIA scoping request for the proposed development of up to 450 houses (was initially for 410 houses) on the planning portal demonstrates that the community views are not being listened to. It would also have a negative impact on Littleham Village and Exmouth in many ways. The area is one of the major attractions of Exmouth, with its far reaching views, near to the

coast, cycling and running events and tourist attractions. National Landscapes are also regional and national assets.

Another concern is that Clinton Devon Estates, has ended the lease to Woodlands Farm, of fields around Quentance Farm, some 84 acres. There is a rumour that Clinton Devon Estates, is selling this land to Bloor Homes. If this is true, it indicates that Clinton and Bloor are confident that EDDC will allow them to build on another large area of protected National Landscape. This domino-effect could happen if Blood Homes are allowed to build a big estate on Exmo_17. This land is too precious to present and future generations for it to be destroyed. It appears that Clinton Devon Estates environmental focus on protecting the environment and wildlife and working with the local community is fraud.

According to the Council for Protection of Rural England, there are 27 brownfield sites in East Devon, contributing to over 16,700 potential homes across Devon. Some may have already been allocated in the local plan. Prioritising greenfield countryside development over available brownfield land, is inconstant with sustainable planning principles and the National Policy emphasis on brownfield-first development. Brownfield sites and land outside the National Landscape should be the ones to build on, and a site like Exmo_17 should not be considered for development.

When I attended the Bloor Homes event, the plan was to enhance the public open space, as well as the housing, employment land and a community hub. We already have an amazing space to walk, cycle and enjoy the open countryside. What is planned, will not enhance, but permanently destroy the National Landscape. Formally known as the Area of Outstanding Natural Beauty (AONB), it really is a beautiful area. The views are far reaching of the countryside, with its rural charm and is valued by the community as a place to get away for exercise and health and wellbeing. Exmo_17 is also near to and can be seen from the Southwest Coast Path, which is also part of the National Trail, called the King Charles III England Coast Path. It is part of a legacy to be enjoyed by walkers. However, the far- and wide-reaching views from the SW coast path, will be ruined by this potential housing development.

The National Planning Policy Framework (NPPF) talks of sustainable development which was agreed in the Neighbourhood plan. The BUAB for Exmouth was to contain the town's future planned development needs and to protect the open countryside outside the boundary from development. This is particularly relevant to Exmouth given the very

special environment surrounding the town such as the National Landscape, Jurassic coast and the Estuary.

East Devon District Council (EDDC) has a legal duty to ‘conserve and enhance’ National Landscapes in their area. Large developments can only happen in ‘exceptional circumstances’ and when in the public interest. As there is land outside the National Landscape that could be built on, there is no exceptional circumstances and just irreversible damage to local farms, farmland and the health and wellbeing on the community.

Site Exmo_17 provides a much-valued green space of local amenity value. The site has the combined footpath and cycleway with countryside views and tranquillity freely available to the public. By protecting the site, it would also continue to ensure a much-needed wildlife corridor. It is of great importance to protect existing open spaces. Planning authorities have a responsibility to minimise impacts and provide net gains in biodiversity. Green corridors provide for wildlife movement in turn enhancing biodiversity, in effect bringing the joys of the countryside into the town. Site Exmo_17 already provides this and can continue to do this in the future if not developed. National Landscapes are areas legally designated as areas of outstanding natural beauty under the National Parks and Access to the Countryside Act 1949 and Countryside and Rights of Way Act 2000. The site was also in the Coastal Preservation Area, and this status was unjustifiably removed by the East Devon County Council. This went against the views of the local community, which has been ignored. Considering the coastal views and location of the site near the Jurassic coast, the World Heritage Site and coastal path, Exmo_17 needs to have this status. In the National Landscapes briefing, Guidance for Local Planning Authorities (November 2024), there was discussion of Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act), which was amended by the Levelling-up and Regeneration Act in December 2023. It requires relevant authorities, in exercising or performing any function that affect AONBs in England, to “seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.” This is a statutory duty, which has been in force since December 26, 2023. The use of the word ‘duty’ in the legislation means that it is something all relevant authorities must do. The duty is considered to be a strengthening of the previous ‘duty of regard’ and seeks positive outcomes for the natural beauty, such as with National Landscapes. Within the planning context, relevant authorities are the Local Planning Authorities, the Planning Inspectorate and the Secretary of State, along with Parish Councils producing Neighbourhood Plans. The duty applies to all aspects of the development management process and the plan-making process such as planning application decisions, enforcement, and decisions relating to planning policies and site

allocations in Local Plans. The duty is considered to require a pro-active approach by the decision-maker; relevant authorities are expected to be able to demonstrate that they have fulfilled the duty, and how compliance with the duty has been embedded in the plan-making and decision-making process. Natural England have advised that relevant authorities must take all reasonable steps to explore how the statutory purposes of the Protected Landscape can be furthered. The duty applies to plan-making and decision-making in relation to, or so as to affect, land in National Landscapes, not only in considering proposals within a National Landscape, but also for affecting its setting. It is important to ensure that 'to conserve and enhance' is a priority in every relevant decision. The statutory duty needs to be considered in tandem with the National Planning Policy Framework (NPPF), in particular paragraphs 11, 182 and 183. Paragraph 182 of the NPPF (2023) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in national Landscapes, whereas conservation and enhancement of wildlife and cultural heritage are important considerations. However, it is important to remember that natural beauty is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features, and the rich history of human settlement over the centuries. It includes landscape and scenic quality and natural heritage such as species, habitats, geology and physical such as wildness, tranquillity and dark skies, and cultural heritage (including cultural traditions and the historic and other built environment that makes the area unique). (Levelling-up and Regeneration Act 2023 section 245; Countryside and Rights of Way Act 2000 section 85). Natural England (2023) states enhanced duty in relation to Protected Landscapes refers to National Landscapes (AONBs) and National Parks. Natural England's Planning policies and decisions must also reflect relevant international obligations and statutory requirements. It is very difficult to see how building over 400 houses and industrial units on National Landscape land, is in any way seeking to further conservation and enhancement of natural beauty of National Landscapes. In fact, it is clearly doing the opposite and seems EDDC would be failing in its statutory duty, if this allocation remains in the plan. The plan is also very weak regarding National Landscapes. Planning is very different for National Landscapes, compared to areas that are not, such as brownfield sites. Both seem to of been lumped together in calculations and projections for development in Devon. East Devon has a high proportion of National Landscape land and this has not been considered in targeted housing numbers. It is also illegal under the CRoW Act (2000) to keep increasing sewage load, when the sewage is already damaging the National Landscapes. Exmouth is having a detrimental impact with sewage overflow, that is impacting our local rivers and sea, including Littleham Brook, that runs through Exmo_17. Historic England make clear that the historic environment is fundamental to the distinctive character, sense of place and natural beauty of each National Landscape. It is the conservation and enhancement of all this natural beauty (usually defined in the specific statutory National Landscape Management Plan) that is the

primary purpose of designation, and that Local Planning Authorities must consider in discharging their duty under CROW Act (2000) s.85. LPAs are advised to ensure internal Local Authority legal teams are aware of the s.85 duty. Use of the relevant National Landscape Management Plan, which is a statutory document, which will have been adopted by the Local Authority and which formulates their policy for the management of the area and for the carrying out of their functions in relation to it. It is the key principle for ensuring that the statutory purposes of the National Landscapes are met, and is a material consideration in the planning process. This has not been done so far for Exmo_17. If it had been, this site would be excluded from development.

Conserving and enhancing the natural beauty of the specific National Landscape will mean conserving and enhancing the character components or special qualities identified in the management plan, and the reason why it became part of the National Landscape (AONB). To build on Exmo_17 would destroy the views from within and outside the National Landscape, as the views are far reaching towards the heritage coast and out towards Torbay. The site is also a historically important, with a grade 2* Church and churchyard, which would be detrimentally affected. There would also be a potential loss of Biodiversity from the National Landscape. This 3000% potential or more would not be off set by the 10% National Planning Policy Framework. Housing development results in the loss of 119 hectares of greenfield land within National Landscapes annually. These developments, however do appear smaller than what is proposed for Exmo_17.

To lose our irreplaceable areas of the National Landscape, there will be no where to visit, that is away from traffic, noise and pollution. You cannot add urban sprawl to areas of natural beauty. It is important that food production and recreation areas of community interests are protected. At the moment Exmo_17 is available for all to enjoy at any time. Many studies have shown that access to greenspaces is very beneficial for health and wellbeing. To remove these areas would cause real harm to farming, people and nature.

To build on Exmo_17, would potentially cause another 800 plus vehicles on local roads. The current roads, are not built for heavy traffic and never were designed to. The proposed exit onto Salterton Road, is already a bottle neck with queues of traffic. A proposed roundabout and 2 new pedestrian crossings, would only further add to this. Buses, are not regular and it takes 2 buses or 1 bus and train to Exeter, if sustainability has tried to be considered. Many will likely drive to Exeter, where most employment opportunities are.

Local Planning Authorities must be able to demonstrate that they have complied with the strengthened duty in any decision or action that impacts or could potentially impact on the National Landscape. To demonstrate that they have sought to further the purpose of designation in making decisions regarding planning policies, site allocations, and development management (including planning enforcement), it is considered LPAs will need to; establish the facts about the natural beauty of the area, especially with reference to the statutory Management Plan for the specific National Landscape; identify what comprises the natural beauty, using descriptions of natural beauty, including Statements of Significance, description of key characteristics and special qualities, as set out in National Landscape Management Plans; and the natural beauty criteria (Natural England (2017) Areas of outstanding natural beauty: designation and management; Natural England (2021) Guidance for assessing landscapes for designation as National Park or AONB in England). I feel this has not been done for Exmo_17 and feel that it is being pushed by Clinton Devon Estates and Bloor Homes to get the site quickly through planning and be developed.

The duty to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes applies to the full range of aspects of the plan-making process. An LPA will need to be able to demonstrate how it has, throughout all stages of the preparation of the Local Plan, sought to further the purpose of conserving and enhancing the natural beauty of the National Landscape. This includes at examination stage, addressing the s. 85 duty actively in responses to Inspector's Findings and in any proposed modifications to Local Plans including consideration of Neighbourhood Plans and to ensure the overall vision and development strategy would align with the objectives/principles/policies of the relevant National Landscape Management Plan. To identify how much of a district's objectively assessed need can be met without harming the natural beauty of the relevant National Landscape, particularly where meeting the need would require allocations that would not further the purposes of National Landscape designation which may involve setting a lower Local Plan housing requirement figure. If a draft planning policy would not align with the duty to seek to further the applicable legislative purpose (e.g. if it would conflict with any of the Management Plan's objectives/principles/policies), then consider amending the policy such that you could confidently say the decision does seek to further the relevant purpose. For decisions relating to site allocations assess what impact the proposed site allocation would have on the natural beauty of the National Landscape, considering its scale, location and landscape setting with reference to the character components/special qualities set out in the National Landscape Management Plan. (In this regard, consider including a specific criterion regarding 'natural beauty' within the

Strategic Housing Land Availability Assessment (SHLAA)/Housing and Economic Land Availability Assessment (HELAA), and within the Sustainability Appraisal). This does not appear to have been considered for Exmo_17. A large scale development is going to affect the local area for many reasons as discussed.

Regarding the objectives/principles/policies of the National Landscape Management Plan, Natural England have advised that the strengthened duty underlines the importance of avoiding harm to the statutory purposes of Protected Landscapes. If promoting a site allocation would not align with the duty to seek to further the conservation and enhancement of natural beauty, then consider amending or deleting a site allocation such that you could confidently say the decision does seek to further the statutory purpose. (For example, choosing not to allocate a particular site within or close to the National Landscape boundary could demonstrate compliance, where this results in avoiding harm.) Evidence how the LPA has sought to further the purpose of conserving and enhancing the National Landscape in its decision, with reference to aligning with National Landscape Management Plan objectives/principles/policies. Natural England (2023). This has not been done, as Exmo_17 is still being considered for site allocation for large scale development.

The duty to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes applies to the full range of development management decision-making, including considering applications for outline, full and reserved matters, listed building consent, applications for works to protected trees, and prior notifications, along with enforcement work on planning breaches. An LPA should also ensure that local validation checklists require the submission of sufficient, specific information to enable them to fulfil the s.85 duty in their decision-making. For decisions relating to planning applications, assess what impact the proposal would have on the purpose of designation; consider how the natural beauty of the area might be affected, were the proposal to go ahead how the proposal would align with the National Landscape. Natural England have advised that the strengthened duty underlines the importance of avoiding harm to the statutory purposes of Protected Landscapes. Where harm is identified, enhancements themselves, including biodiversity net gain (BNG) provision, are unlikely to be sufficient to align with the duty, which has the dual consideration of conserving and enhancing natural beauty. Also, ensure that any ‘enhancements’ within the proposal do genuinely align with, and help deliver, the objectives, principles and/or policies and resulting actions of the specific National Landscape Management Plan, by way of scope and location. Natural England have advised that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape’s statutory Management Plan. Ensure a clear differentiation between any

proposed measures that seek to mitigate or compensate for harm (e.g. like-for-like replacement), and those that further the conservation and enhancement of the natural beauty of the National Landscape. Natural England have advised that measures that further the purposes are required in addition to mitigation. This appears not to have been considered.

The s.85 duty by ensuring the impact on the natural beauty of the National Landscape forms part of the assessment of ‘amenity’ when considering when making decisions on applications for works to protected trees, ensure the impact on the natural beauty of the National Landscape forms part of the assessment of the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area. The site does have TPOs and development would completely ruin all character and biodiversity that there currently is. The beauty Exmo_17 offers would be changed forever.

S.84 of the CROW Act (2000) sets out that LPAs have power “to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, or so much of it as is included in their area”. Assess if the planning harms the natural beauty of the National Landscape, with regard to the Management Plan Statement of Significance and objectives, principles and/or policies. Consider if any amendments could help further the purpose of conserving and enhancing the natural beauty. Ensure clear differentiation between any proposed measures that seek to mitigate or compensate for harm (e.g., like-for-like replacement), and those that further the purpose of conserving and enhancing the natural beauty of the National Landscape. Natural England have advised that measures that further the purposes are required in addition to mitigation. To build on Exmo_17 goes against your conserving and enhancing of the natural beauty of the area.

The housing and economic land availability assessment does not determine whether a site should be allocated for development, but it’s up to the development plan itself to determine which of those sites are the most suitable to meet those requirements. It appears that the EDDC are using our National Landscape to meet housing targets when brownfield sites have been allowed by the planner to build inappropriate housing. Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall

scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas).

Neighbourhood planning bodies may use the method set out in this guidance to assess sites but any assessment needs to be proportionate to the nature of the plan.

Neighbourhood planning bodies may also make use of existing site assessments prepared by the local planning authority as a starting point when identifying sites to allocate. The East Devon planning guidance for National Landscapes states that they are Nationally designated protected landscapes. Receives the highest level of protection under the National Planning policy unique and special area. Development proposals in and affecting the national landscape must have a regard to the conservation and enhancement of its natural beauty. Give great weight to conserving and enhancing the landscape and scenic beauty of the area in order to be in conformity with the national planning policy framework. National landscapes are becoming attractive, profitable places for housing and development. Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas). Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas). Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas). This has not been done for Exmo_17. If it had, major development would not be considered for Exmo_17 and it would be removed from the proposed plan.

National Planning Policy Framework Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to

its effects; strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless the application of policies in this framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. For decision-taking this means, not approving development proposals in protected areas of particular importance such as National Landscapes and provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development such as housing to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. As established through statements of common ground (see paragraph 28) the policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities. This has not been done for Exmo_17 as the legal protection of a National Landscape has been not fully considered and it feels that Exmo_17 is being proposed, to make up housing numbers, which is not a reason for major development this is not an exceptional circumstance. Due to the location, any development would affect the

sensitivity of the site and ignores the highest status of protection that National Landscapes have in law.

Clinton Devon Estates (CDE) on their website, talk of their wildlife vision to embed wildlife improvement into all business activities and hand onto future generations a countryside more diverse, resilient, functional and ecologically valuable than we have today. CDE Strategy 2030 doing today what is right for tomorrow. Development proactive approach will be taken to identifying appropriate opportunities to provide homes and business premises for local people with sustainability at the forefront of decision making. Net zero carbon emissions by 2030. Agriculture farming models should provide products customers want to buy, enhance our soils and natural environment and provide viable business models which wildlife can flourish. Increase woodland cover and enhance soils and natural environment. If this is their goal, then it's very hypocritical, as they are wanting major development within the National Landscape.

In the spring 2026 National Trust magazine, Director- General *** Personal details have been removed ***, interviewed Prime Minister Sir Keith Starmer. Key points in the interview included:

- Growing up in a rural area, surrounded by fields. "For me, it's been there from the very start, and I value it so highly now, both as an individual and as a Prime Minister".
- Regarding being one of the most nature-depleted countries and seeing nature decline. "Yes and it's a real cause for concern. We need to do everything we can to prevent that decline and to turn it around, because we're losing things we may never get back and children born today, may never know and see and enjoy the things that I enjoyed as a child".
- If the government is doing enough to meet long-standard targets such as protecting 30% of land and sea for nature by 2030, to support the global '30by30' target agreed at the UN Biodiversity Summit in 2022. We're only at 6% at the moment. "I am confident and I'm determined as well as confident. There are great things that many governments have done - Areas of Outstanding Natural Beauty, National Parks – these things matter hugely and we want to add to that... And one of my concerns is that in a number of urban areas, there's not enough access to greenery or nature".
- Building vs blockers and nature against growth. "I think we can have both... We want to preserve nature and the beauty of this country. We need to get the balance right between the two".

- Wildlife Corridors. “ Corridors for nature, but also physical and mental health is enhanced through nature. Physical health because there is a nice place to walk and fresh air is hugely important. But also mental health, just the ability to have bit of still time outside.
- Your legacy in nature and history. “In nature, we will add forests to National Parks and the Areas of Outstanding Natural Beauty”.

*** Personal details have been removed ***, the local MP, states that National Landscapes are irreplaceable part of our natural environment and local identity. He believes they should be protected long term. The need for homes must be balanced carefully against the protection of valued landscapes and protective agricultural land. The National Planning Policy Framework is clear that planning decisions should contribute to and enhance natural and local environment, including protecting and enhancing valued landscapes.

/// Continued in 69933b4cd22e167662e672f0 ///

Full name: Chrissie Hunn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In the section discussing Exmo_17 there is very little emphasis on the site being in the National Landscape and what that entails. There is no mention of the laws that protect the National Landscape from large scale development. In fact in the draft plan, it is very blasé. The site sits outside the build up area boundary. To build here would completely destroy the landscape beyond recognition. There will be no biodiversity net gain. The views are dark reaching and are seen from the world heritage Jurassic Coast and coastal path. The sites location to this has not been mentioned nor three fact the fields are used by local farms. There is also every chance the fields next door to this site which back onto woodland, may be being sold for further development in the National Landscape. To build on Exmo_17 will most certainly open the doors to further large scale development in the area. Exmouth cannot cope with further development as it's infrastructure cannot cope with demand. This will only worsen. Think sewage, flooding as no land to soak up the water, worsen traffic as only 2 main roads out of the town. Exmouth cannot cope with further development. Also with Devon Cliffs, the population significantly increases, adding further strain, something which has not been considered. EDDC have a legal duty to 'conserve and enhance' National Landscapes in their area. Large developments can only happen in 'exceptional circumstances' and when in public interest. As there is land outside the National Landscape that can be built on, there is no exceptional circumstances and just irreversible damage to local farms, farmland and the health and wellbeing of the community. Exmo_17 provides a much valued greenspace for the local community. The site having the shared cycle path and footway, offers countryside views and tranquility freely available to the public. It also ensures a much needed wildlife corridor.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_17 from the plan. Give the CPA protection back to this site, which is what many in the community objected to its removal. Protect the National Landscape from development, which clearly this is not being practiced, as otherwise this site would have not been considered. The site is already valued by the community, including children, families, walkers, cyclists those with wheelchairs and mobility scooters, as well as dogs and wildlife. To have a road go across the cycle path and walkway will make access unsafe and stop cycle and running events from occurring. Are cars really going to stop? Allow the site to be left as it is and enhance what is already there, rather than development. National Landscapes are areas legally designated as areas of Outstanding Natural Beauty under the National Parks and Access to the Countryside Act 1949 and Countryside Rights of Way Act 2000. The CROW Act was amended in December 2023 by the Levelling up and Regeneration Act. It requires relevant authorities in exercising or performing any function that affect AONB to "seek to further purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty". This statutory duty, which all relevant authorities must do and seek positive outcomes. In the NPPF paragraph 182 sets out that great weight should be given to conserve and enhancing landscape and scenic beauty in National Landscapes. To build over 400 houses and industrial units goes completely against legislation. EDDC would be completely failing in its statutory duty if Exmo_17 remains in the plan. It is also illegal under the CROW Act to keep increasing sewage load, when the sewage is already destroying the National Landscape. Exmouth is having a detrimental impact with sewage overflow, that is impacting our local rivers and sea, including Littleham Brook, that runs through the site. Historic England make clear that it is the enhancement and conservation of this natural beauty of the landscape and is fundamental to its distinctive character and sense of place. Legally this site is awarded the greatest protection from development, making Exmo_17 in the local plan illegal.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: As previously mentioned, Exmo_17 is protected by various laws, which has not been mentioned fully in the plan. There is no description of the site and its topography. The site is very exposed fields of farmland, hedges and trees with the cycle path and walkway running straight through, that links up with Budleigh and Woodbury Common

in one direction and towards Exmouth in another. It sits outside the BUAP, as agreed in the neighbourhood plan, that has been ignored. The site is rural with the Littleham Brook running through and is next to listed grade 2* parish church and church yard, which is one of the biggest in Devon. The area towards the bottom of the site is known to flood. Concerns about the site being developed have not been listened to by the council and the landowner. Prime Minister Sir Keir Starmer has stated the value of greenspaces and fields and corridors for nature and that physical and mental health is enhanced through nature. Areas of Outstanding Natural Beauty matter hugely and want to add to that. "In nature we will add forests to National Parks and the Areas of Outstanding Natural Beauty". There is no talk of development of housing, but rather enhancing the environment that is already there. Something that the plan goes against. The Local MP for Exmouth David Reed also states that National Landscapes are irreplaceable part of our environment and local identity and be protected long term. There is no talk of housing developments in National Landscapes, but instead about improving nature and protection. How can Exmo_17 be sound, when it goes against this? The Rt hon Steve Reed, has stated that protected landscapes are to be strengthened with new legislation and guidance to protect nature, boost its recovery and access to the outdoors. More trees planted and more habitat created. It will also help to tackle climate change. The Government states that it is committed to restoring nature across the country. A healthy Natural environment is crucial to the National health and prosperity and create a decade of Natural renewal. They want to restore protected landscapes which site Exmo_17 would fall under. The Government is aiming to meet the long standing target of protecting 30% of land and sea for nature by 2030. Currently we are only at 6%. The government want to increase and enhance National Landscapes, so why is EDDC intent on going against this and potentially developing land at Exmo_17 in the National Landscape? If anything EDDC need to support statutory law and instead protect and enhance Exmo_17 and put pressure on Clinton Devon Estates (the landowner) to maintain and enhance the site, which CDE seem to talk about wildlife protection etc on their website. Clinton Devon Estates (CDE) are also on the East Devon National Landscape committee, which is very hypocritical, considering they are on a board wanting to protect and enhance the National Landscape, but yet Site Exmo_17, any large chunk of land within the East Devon National Landscape, they clearly want to sell for profit and large scale development, considering they have drawn up plans with Bloor Homes. This fully goes against the legislation governing protected landscapes and damages CDE goals of protecting the environment. Building over 400 houses and industrial units is not conserving and enhancing the landscape. It goes against the 30by30 target agreed by the Government on protecting land and sea for Nature at the UN Biodiversity Summit in 2022, and the updated legislation by the Government wanting to protect and expand National Landscapes and wildlife corridors.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To have greater emphasis on the Exmo_17 site being in the National Landscape and the law that protects the site from development, due to statutory reasons of conserving and enhancing the landscape. To add details about the site and the impact developing in National Landscape can have.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To stand up for Exmo_17 and protect the National Landscape site from major development, so that it can be nature enhanced and conserved for now and in the future. The Government are wanting to protect, improve and grow National Landscapes, so I want to know why EDDC are against this and would rather development the site for housing and industrial units that would stand out hugely on the landscape and irreversibly damage biodiversity and nature that is already there and impact on the community who access the site, as well as tourism, due to its location near to and seen by holiday accommodation and tourist attractions, as well as cycling and running events. When this site was first discussed by the council, some councillors did not know Exmo_17 location was within the National Park, but when voted, still voted for it to be considered. That to me feels that there is lack of understanding regarding the law and legislation that governed National Landscapes and it was just put through to make up numbers. The landowner, who is also part of the East Devon National Landscape, is intent on having this site developed for housing. This is very hypocritical.

Full name: Chrissie Hunn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: To develop on land within the National Landscape, goes against all the protective legislation that governs National Landscapes. If this was legally compliant, EXMO_17 would be rejected for development.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove from the site allocation plan, sites like Exmo_17 that are in the National Landscape.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Allocation of Exmo_17 is in conflict with the National Planning Framework December 2023 and is unsound and not legally compliant. It also conflicts with protecting the National Landscape as outlined in another chapter of the proposed local plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_17 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I want to help protect the National Landscape and feel that EDDC and Clinton Devon Estates have not listened to the local community and ignored the protective status of National Landscapes. Even the Prime Minister *** Personal details have been removed *** recognises the importance of protecting National Landscapes now and for future generations. Once lost, it is gone forever.

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -

Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To be part of important discussions around the towns future

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To be part of important discussions concerning the towns future planning

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To be part of such important discussions around the towns future

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To be part of such an important discussions about the towns future and ensure the people of the town are listened to

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This is too important to miss and not be part of

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is necessary as this is such an important plan for our town and would like to hear the reason this is happening

Full name: Caroline Hunt

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Would want to Listen to the councils reasons why this wants to go ahead and that the publics reasons /objections are listened to/ this is an extremely important to the town

Full name: Richard Abbott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This weekend, we had constant, rotating visits from up to 17 sewage trucks dumping human waste into the sea at Budleigh Salterton. We have heard that the same is happening at Exmouth. I propose that all development of new homes be immediately suspended until such a time that the water treatment infrastructure is improved to a point where the dumping of raw human waste into the sea is no longer necessary for the current population and for the estimated population increase.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See comment above

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The development of new homes will be immediately suspended until such time as the water treatment

infrastructure is improved to a point where the dumping of raw human waste into the sea is no longer necessary for the current population and for the estimated population increase.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Everyone I know and have spoken to has strenuously objected to Exmo_20. Cooperation has been replaced with 'bulldozing through'. It is neither correct nor moral to allow you to sustain the claim that this is a cooperative process. It is one-sided coercive performative nonsense.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Richard John Baker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32. OBJECTION 2. Allocation of Exmo_20 is in conflict

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Richard John Baker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. OBJECTION 4. Allocation of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Judith Constable

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: It is in conflict with paragraphs 16c, 32, 73b, 180d, 180e, 181, 185a, 186b, 188 and 191c of the NPPF December 23; it is unsound and not legally compliant. It also conflicts with para 3.6 policies PB01, PB02, PB03, PB04 and OL02 of the Local plan. The proposal is adjacent to Pebblebed Heaths SAC/SPA/SSSI and the plan HRA states, "There is, as yet, no means to mitigate or address the risks" to significant habitats and species. So this is clearly, at the moment, an unsuitable site. The Mitigation Hierarchy set out in NPPF para 32 has to be followed; and allocation of this site cannot be justified where there are other viable and less mitigation-reliant sites to select. NB the plan has an over-supply of housing allocations; so development of this site is not necessary.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This large development is surrounded by countryside and is not attached to any town or village. It's not right to build a new settlement in the middle of virgin countryside. The nearest settlement is the very small hamlet of Ting Tong, which is a drive away. It urbanises the green buffer between a highly protected nature reserve and farmland, and the villages and hamlets of Ting Tong, Budleigh Salterton, and (further away), Exmouth. The only argument in its favour seems to be that it's flat; presumably for sale, and a drive away from an out of town Tesco and a Civic Amenity site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I don't think it's necessary to participate; this is a different question from whether I wish to (I don't really)! Please don't dismiss my objection if I'm not there. I'm happy to answer questions if it will help.

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

xmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and

supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jenifer Davis

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Regarding the most objected to and unpopular proposed development of 700 new houses as indicated on the Site Selection Report at East Devon District Council, reference Exmouth20, I am objecting to developers, Eagle Investments, aiming to forever change and spoil Southern Wood on the outskirts of Exmouth, to change it from a cul de sac into a potentially busy through road, by stripping and ploughing through established woodland at the bottom of the road, in order to build a bridge over Withycombe Brook for vehicle access to their proposed development site, a site set at a much higher level than Southern Wood. Planning Officers must come and see for themselves the folly of this idea of a through road before it becomes a pending nightmare. They need to see for themselves, not rely on photographs or second hand information, how wide Withycombe Brook is at the bottom of Southern Wood, how much higher the land is on the other side of the brook, so that they will know a very substantial structure would need to be built to support a bridge for any vehicle access, also to consider the future safety, the upkeep and maintenance costs which would be the sole responsibility of the council. Planning Officers also need to see for themselves the parking issues in Meadow View Road which runs along the top of Southern Wood; how access will be frustrating if more traffic goes back and forth through Southern Wood. If homeowners use this route from the new development, they would be no nearer present schools, shops or any infrastructure because of the disadvantage of having to navigate these minor roads with parked vehicles. The parking issues have arisen because some landlords, who own properties in the proximity, have let their garages out separately, leaving tenants with no off-road parking. An unresolvable problem. I live in Southern Wood. It is a quiet cul de sac with just 12 houses. The road is

approximately 6.2 m at its widest point, with raised curbs and paths. The road slopes downwards towards Withycombe Brook with woodland and fields beyond. Every house from the top of Southern Wood falls lower than its neighbour. As an example, our house is approximately one metre lower than our neighbours. The houses at the bottom of Southern Wood, numbers 5 and 6, both nearest Withycombe Brook, I understand are level 3 flood zone. The brook does gush after heavy rainfall. We now have slight flooding down the side of our house to paddle through after heavy rain and must make sure our drains are always clear of leaves. There is also puddling in our rear garden after heavy rainfall which is a new occurrence. Flooding concerns would become an issue as our winters are becoming wetter, if 700 or more new houses are built at a much higher level than Southern Wood. We have been protected with trees and fields taking up most of the rainwater, but a housing estate would not do this. In the Exmouth Journal, 19th January 2026, they included a report by the environmental group Round Our Way, quoting East Devon had 673 alerts and warnings recorded since 2011 during the most severe flood seasons, according to a new analysis based on Environment Agency data. This equates to 436.1 alerts and warnings per 100,000 residents, placing East Devon among England's top 20 most impacted areas. Eagle Investments appear to be confident they will be awarded planning permission to have vehicle access through Southern Wood, as they have already felled many trees surrounding Withycombe Brook where it runs along the bottom of Southern Wood. They started felling the trees in 2023. When asked by neighbours the reason, they were told it was due to Ash dieback. I understand Eagle Investments obtained a licence from the Forestry Commission, application Ref: 018/2753/2022, a licence with permission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". Sadly, Eagle Investments workers have felled many trees located in the path of their new proposed bridge and road before any planning permission has been given. You can now see through the woods towards the fields; the denseness has been depleted. Crows used to nest in the trees at the bottom of Southern Wood and fly around in circles above before roosting, but they have mysteriously moved on. We know trees are important, not only in helping flood management but also helping to minimise pollution. If Eagle Investments are given permission to go through Southern Wood and build a bridge over Withycombe Brook for vehicle access, they will need to clear all the remaining trees, therefore disregarding any conditions of their licence from the Forestry Commission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". It will be a shame if an unnecessary through road is allowed to change the environment we presently enjoy in Southern Wood, especially as there is already access to the proposed development site from the entrance to Liverton Business Park, on the B3178, the Salterton Road. This business park has established roads and retail units with free parking and leads directly to the proposed development site. It is also

home to the emergency services. To use the route through the Liverton Business Park would save pointless junctions being created on our country roads, many without footpaths, therefore limiting destruction to our wildlife and I expect saving costs. There are traffic lights at the Tesco store on the Salterton Road, there are traffic lights at the top of Dinan Way successfully serving many established developments and keeping traffic safe. So, traffic lights at the entrance to Liverton Business Park, which is presently quite dangerous as some drivers take chances to leave, would make any new junctions or through roads unnecessary, and so much safer and more convenient for all. I can see no point in causing chaos and structural upheaval to Southern Wood by making it a through road, forever spoiling its environment and established woodland with its homes for wildlife and I object to this. I can see no point in creating unnecessary new junctions on our country roads as proposed and I object to this. I trust that planners will consider these issues and protect our environment. I would point out to the reader the red line Eagle Investments have drawn on Exmouth 20b, shows intended access not from Southern Wood, but from Woodfield Close, an area with garages and parking for the residents there. This error should be corrected.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmouth_20 from the local plan. Do not access the site from Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jenifer Davis

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Regarding the most objected to and unpopular proposed development of 700 new houses as indicated on the Site Selection Report at East Devon District Council, reference Exmouth20, I am objecting to developers, Eagle Investments, aiming to forever change and spoil Southern Wood on the outskirts of Exmouth, to change it from a cul de sac into a potentially busy through road, by stripping and ploughing through established woodland at the bottom of the road, in order to build a bridge over Withycombe Brook for vehicle access to their proposed development site, a site set at a much higher level than Southern Wood. Planning Officers must come and see for themselves the folly of this idea of a through road before it becomes a pending nightmare. They need to see for themselves, not rely on photographs or second hand information, how wide Withycombe Brook is at the bottom of Southern Wood, how much higher the land is on the other side of the brook, so that they will know a very substantial structure would need to be built to support a bridge for any vehicle access, also to consider the future safety, the upkeep and maintenance costs which would be the sole responsibility of the council. Planning Officers also need to see for themselves the parking issues in Meadow View Road which runs along the top of Southern Wood; how access will be frustrating if more traffic goes back and forth through Southern Wood. If homeowners use this route from the new development, they would be no nearer present schools, shops or any infrastructure because of the disadvantage of having to navigate these minor roads with parked vehicles. The parking issues have arisen because some landlords, who own properties in the proximity, have let their garages out separately, leaving tenants with no off-road parking. An unresolvable problem. I live in Southern Wood. It is a quiet cul de sac with just 12 houses. The road is

approximately 6.2 m at its widest point, with raised curbs and paths. The road slopes downwards towards Withycombe Brook with woodland and fields beyond. Every house from the top of Southern Wood falls lower than its neighbour. As an example, our house is approximately one metre lower than our neighbours. The houses at the bottom of Southern Wood, numbers 5 and 6, both nearest Withycombe Brook, I understand are level 3 flood zone. The brook does gush after heavy rainfall. We now have slight flooding down the side of our house to paddle through after heavy rain and must make sure our drains are always clear of leaves. There is also puddling in our rear garden after heavy rainfall which is a new occurrence. Flooding concerns would become an issue as our winters are becoming wetter, if 700 or more new houses are built at a much higher level than Southern Wood. We have been protected with trees and fields taking up most of the rainwater, but a housing estate would not do this. In the Exmouth Journal, 19th January 2026, they included a report by the environmental group Round Our Way, quoting East Devon had 673 alerts and warnings recorded since 2011 during the most severe flood seasons, according to a new analysis based on Environment Agency data. This equates to 436.1 alerts and warnings per 100,000 residents, placing East Devon among England's top 20 most impacted areas. Eagle Investments appear to be confident they will be awarded planning permission to have vehicle access through Southern Wood, as they have already felled many trees surrounding Withycombe Brook where it runs along the bottom of Southern Wood. They started felling the trees in 2023. When asked by neighbours the reason, they were told it was due to Ash dieback. I understand Eagle Investments obtained a licence from the Forestry Commission, application Ref: 018/2753/2022, a licence with permission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". Sadly, Eagle Investments workers have felled many trees located in the path of their new proposed bridge and road before any planning permission has been given. You can now see through the woods towards the fields; the denseness has been depleted. Crows used to nest in the trees at the bottom of Southern Wood and fly around in circles above before roosting, but they have mysteriously moved on. We know trees are important, not only in helping flood management but also helping to minimise pollution. If Eagle Investments are given permission to go through Southern Wood and build a bridge over Withycombe Brook for vehicle access, they will need to clear all the remaining trees, therefore disregarding any conditions of their licence from the Forestry Commission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". It will be a shame if an unnecessary through road is allowed to change the environment we presently enjoy in Southern Wood, especially as there is already access to the proposed development site from the entrance to Liverton Business Park, on the B3178, the Salterton Road. This business park has established roads and retail units with free parking and leads directly to the proposed development site. It is also

home to the emergency services. To use the route through the Liverton Business Park would save pointless junctions being created on our country roads, many without footpaths, therefore limiting destruction to our wildlife and I expect saving costs. There are traffic lights at the Tesco store on the Salterton Road, there are traffic lights at the top of Dinan Way successfully serving many established developments and keeping traffic safe. So, traffic lights at the entrance to Liverton Business Park, which is presently quite dangerous as some drivers take chances to leave, would make any new junctions or through roads unnecessary, and so much safer and more convenient for all. I can see no point in causing chaos and structural upheaval to Southern Wood by making it a through road, forever spoiling its environment and established woodland with its homes for wildlife and I object to this. I can see no point in creating unnecessary new junctions on our country roads as proposed and I object to this. I trust that planners will consider these issues and protect our environment. I would point out to the reader the red line Eagle Investments have drawn on Exmouth 20b, shows intended access not from Southern Wood, but from Woodfield Close, an area with garages and parking for the residents there. This error should be corrected.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmouth_20 from the local plan. Do not access the site from Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jenifer Davis

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am objecting to the proposed development of 700 new properties indicated on the Site Selection Report at East Devon District Council, reference Exmouth20. I believe this area, set approximately three miles from Exmouth town centre, the train station and sea front, is an unsuitable location for further development. Do we need years and years of destruction and disruption to build such a high volume of new properties, spoiling a beautiful area of Exmouth, when there are already extensive and ongoing developments at Goodmores and Plumb Park in Exmouth. Has anyone calculated with so many new properties being built, how our struggling sewage system will cope, what new flooding issues will arise, how our local services will manage when already stretched, and sadly our country roads, few with footpaths, will inevitably become even busier. The A376 is one of only two traffic routes out of Exmouth towards the M5 and Exeter, and all know the nightmare of the queuing traffic when using this road and the delays for our buses. The new roundabout at the top of Dinan Way will give new access to the A376, and although it will make the point of entry onto the A376 easier, it is still joining the busy traffic on the same road, the A376. The other traffic route to the M5 and Exeter via Woodbury is already causing problems for those roads, most without footpaths and are now too dangerous to walk or cycle due to the fast through traffic. The easier route is by train, but you would still have to drive to the station, find expensive parking or travel by bus. Not many would want to cycle, to negotiate heavy traffic or breathe in traffic fumes in all weathers. We are told we need more housing, but do we have proof that so many people want to move to Exmouth when there is not enough employment available for the local population, they cannot all work from home? Can Liverton Business Park, situated adjacent to the new proposed development, cater for such a huge population burst. Do we know how many of the new houses on the Goodmores or Plumb Park developments have sold? Housing in Exmouth is expensive and to buy these new

homes would require owners to be able to afford a substantial mortgage and have reliable employment. If we do not heed the warnings of over development in unsuitable areas, of properties built but not wanted, we could end up with half-built developments deteriorating as is happening in Cornwall. The ongoing trauma of this planned development on the outskirts of Exmouth, knowing it will spoil this area forever, with residents unsure of the impact on their homes and location is unfair and has been going on for so long and is distressing for all. Yes, if we need more housing, build in suitable locations, closer to cities, towns and industrial estates. The proposed new community being planned near Exeter Airport, with more employment possibilities, is a far more suitable and sensible location and would benefit all.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmouth_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mandy Dickinson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This development conflicts with the local plan paragraph 3.6 policies PB01 PB02, PB03 PB04 and OL02. It is too large and too close to the pebble bed heaths. The site should not be accessed from the B3179. This site is closer to Budleigh Salterton than Exmouth meaning more traffic using the B3179 (60mph speed limit) with no consideration of people trying to exit Knowle either from Knowle village where there are often traffic jams or Dalditch Lane which is very dangerous exit due to limited visibility.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I suggest that you revert to site 20b, closer to Exmouth and smaller with access to the site from Dinan way (30mph speed limit)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: I agree more homes need to be built but not another town.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mark Dodd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Resubmitting this comment as did not receive email confirmation that the comment had been received/accepted. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from development plans and reconsider other sites.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from planning and reconsider other sites.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Resubmitting this comment as unsure if it was accepted the first time Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in

cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from plans and revert to previously site.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmouth 20 from plans

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from plans

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo 20 as a viable option for development of this size. Ensure that Pebblebed Heath is protected.

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo-_20 as a viable option

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove emo_20.
From the plans

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the Inspector hears from the public not the version EDDC puts forward

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: EDDC ***** and Officers are fully aware of the failings with Exmo_20 yet continue to include it in the Plan for reasons of expediency. It is necessary to explain this to an Independent person without the filter of EDDC

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To clearly state the failings in Exmo_20 to a professional planner independent of EDDC

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is necessary that the Inspector learns from members of the public not just the one sided view of ***** and Officers of EDDC

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is important that the Inspector hears directly from members of the public and does not have to rely on EDDC for the true picture

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure my voice is heard

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure my very real concerns about Exmo_20 are heard by an independent Inspector

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: EDDC cannot be trusted to provide the Inspectors with a full and accurate explanation of the failings in Exmo_20 therefore I would like to inform them myself

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the Inspector is fully aware of EDDC's failings in this Consultation

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I want the Inspectors to hear directly about the failings in this proposal

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To make sure my voice is heard

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I have made many presentations to EDDC Strategic Planning Committee and not been listened to, I believe the Inspector will listen...

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the Inspector hears my objection

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To bring to the Inspectors' attention the failures of EDDC in this process

Full name: John Hamill

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the Inspector hears directly from a resident about the failures of EDDC in this process

Full name: JOHN RICHARD VINCENT HARDING

Other party name (if relevant): MRS PAMELA ANN HARDING

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: EXMO_20 is at variance with Section 32 of the NPPF of December 2023 and must be considered as unsound. It was falsely claimed that it was available for site selection when this was not the case. Originally under HELAA it was deemed unsound but this was subsequently changed but without the detailed supporting evidence covering surrounding roads' capacity, and safety for pedestrians, educational and health facilities, leading to greater potential pressure on already overloaded facilities in neighbouring communities.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
EXMO20 should be removed from consideration.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Peter harvey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Too many houses for site. Need cycles pathways and footpaths.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Michael James

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the EXMO_20 planned development of 700 homes. Firstly it is detrimental to our beautiful Pebblebed Heaths. (SAC/SPA) Secondly the preposed access point onto the B3179 is nearer to Budleigh Salterton than Exmouth and would put an obvious strain on services, already under pressure, such as GP services and schools and the infrastructure of Budleigh town to include the high street, beach and utilities. Specifically waste water and drainage. THIS IS CONTRARY TO POLICY 0L05 of the local plan. SE water already struggle to maintain services to Budleigh and 700 more homes would inevitably result in more sewage spills into the sea impacting wildlife and the health of local residents.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please ensure these comments are taken into account EXMO_20 should not be allowed to go ahead.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reomove Exmo_20 from the draft plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Wade Jaradine

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Dan Thomas Jenkins

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to object to the above named development for the following reasons;

1) large housing estates of this nature should not be built on National landscape.

2) building on other land outside the National landscape would be cheaper allowing for a higher percentage of affordable homes for local people.

3) the entrance to this site would cause more traffic chaos and cut across the cycle track/ footpath from Exmouth to Budleigh causing risk to pedestrians, animals and other users.

This particular area is of such outstanding beauty and if built on will be irreplaceable to the local community, wildlife and local landscape.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Please do not allow this housing development to proceed in this area.

Full name: Lisa Thomas Jenkins

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To whom it may concern, I am writing to object to the above named development for the following reasons; 1) large housing estates of this nature should not be built on National landscape. 2) building on other land outside the National landscape would be cheaper allowing for a higher percentage of affordable homes for local people. 3) the entrance to this site would cause more traffic chaos and cut across the cycle track/ footpath from Exmouth to Budleigh causing risk to pedestrians, animals and other users.

This particular area is of such outstanding beauty and if built on will be irreplaceable to the local community, wildlife and local landscape. Please do not allow this housing development to proceed in this area

Full name: Lisa Thomas Jenkins

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To whom it may concern, I am writing to object to the above named development for the following reasons; 1) large housing estates of this nature should not be built on National landscape. 2) building on other land outside the National landscape would be cheaper allowing for a higher percentage of affordable homes for local people. 3) the entrance to this site would cause more traffic chaos and cut across the cycle track/ footpath from Exmouth to Budleigh causing risk to pedestrians, animals and other users.

This particular area is of such outstanding beauty and if built on will be irreplaceable to the local community, wildlife and local landscape. Please do not allow this housing development to proceed in this area.

Full name: Mark Jennings

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: the current Goodmores development increase in construction traffic, general increase in traffic that new accommodation brings has and will continue to degrade the already poor state of the roads to and from and around Exmouth. Further increase in both construction and housing traffic can only cause more damage, wear and tear which is currently unable to be managed.

Commuter traffic is already causing significant delays to Exeter

All roads to and from Exmouth to surrounding areas are regularly hit by accidents and congestion.

Housing stock: there are a number of proposals for new housing in Exmouth, all rapidly eroding the natural beauty of our area and will undoubtedly have an impact on wildlife in Particular Pebble Bed Heaths, Bystock fishponds etc.

Is adequate consideration/forecasting made for the general impact of all these schemes both in terms of current occupancy of all new build projects and proposed projects and the impact on domestic and town amenities.

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

Where are 1400 people going to work, park their cars educate their children visit healthcare settings. All these services are under pressure now before this or other projects get the go ahead.

We already have water pollution a regular basis.

Local plan, is the need for continuous housing development evidenced or just part of a national target.

Does the local plan evidence population growth going forward rather than just meeting set targets.

Starting to build on exmo_20 site will not be part of a real community it will probably need to attract people with their own transport. It will undoubtedly increase pollution to sensitive open areas we have all supported.

What financial benefit can be demonstrated as a result of this development to the town.

What remedial/repair work will be funded by the developers

Can the developers evidence the impact they will have, hard facts, monies or grants rather than rhetoric.

I would ask the planning panel to seek/use formal processes to ensure concerns have been fully considered and that any current and future planning props have to meet stringent tests on local need/impact analysis.

Do we need these houses Will they be affordable for young families Will they provide jobs Can south west water cope with the sewage/water Can roads be maintained better than now Can wildlife be protected Is it morally right to erode natural often protected habitats

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: the current Goodmores development increase in construction traffic, general increase in traffic that new accommodation brings has and will continue to degrade the already poor state of the roads to and from and around Exmouth. Further increase in both construction and housing traffic can only cause more damage, wear and tear which is currently unable to be managed.

Commuter traffic is already causing significant delays to Exeter

All roads to and from Exmouth to surrounding areas are regularly hit by accidents and congestion.

Housing stock: there are a number of proposals for new housing in Exmouth, all rapidly eroding the natural beauty of our area and will undoubtedly have an impact on wildlife in Particular Pebble Bed Heaths, Bystock fishponds etc.

Is adequate consideration/forecasting made for the general impact of all these schemes both in terms of current occupancy of all new build projects and proposed projects and the impact on domestic and town amenities.

Where are 1400 people going to work, park their cars educate their children visit healthcare settings. All these services are under pressure now before this or other projects get the go ahead.

We already have water pollution a regular basis.

Local plan, is the need for continuous housing development evidenced or just part of a national target.

Does the local plan evidence population growth going forward rather than just meeting set targets.

Starting to build on exmo_20 site will not be part of a real community it will probably need to attract people with their own transport. It will undoubtedly increase pollution to sensitive open areas we have all supported.

What financial benefit can be demonstrated as a result of this development to the town.

What remedial/repair work will be funded by the developers

Can the developers evidence the impact they will have, hard facts, monies or grants rather than rhetoric.

I would ask the planning panel to seek/use formal processes to ensure concerns have been fully considered and that any current and future planning props have to meet stringent tests on local need/impact analysis.

Do we need these houses Will they be affordable for young families Will they provide jobs Can south west water cope with the sewage/water Can roads be maintained better than now Can wildlife be protected Is it morally right to erode natural often protected habitats

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_20

Full name: Carolyn G. John

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to submit my objection to the proposal for a vast building site next to the B3179 that is used by all Budleigh and some Exmouth residents to travel to and from Exeter by car. This road would have to be widened significantly to cope with all the extra traffic generated, first for the building itself of 800 + houses, involving lorries and suppliers, and further by each potential house likely having one or two cars. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

It has been stated that 'alternative sites' have been discounted for Exmouth, but can we be sure that all potential brownfield sites have been considered?

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This figure increases massively with the

influx of visitors and tourists, not only in the summer but all year round, bringing an inevitable increase in road traffic on our narrow roads.

It is incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will spoil the tranquility of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Trevor Alan Johnson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Charlotte Johnson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
there are far too many houses planned for this site. the infrastructure is inadequate to accommodate this number of homes. allocation of Exmo_20 is in conflict with paragraph 16c, 32, 73b, (specifically footnotes 38 and 7) 180d, 181, 185a, 186b, 188, and 191c, of the NPPF December 2023 and is unsound and not legally compliant . it also conflicts with paragraph 3,6, policies PB01, PB02, PB03, PB04 and OL02 of the local plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Trevor Alan Johnson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in direct conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound, and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chris jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I must object to the building of a new estate of 700 new houses of local plan EXMO20. The project is, by far, too ambitious and far too close to Budleigh Salterton. In the summer months the high street is full to overflowing and parking becomes a lottery at best. We already have a new estate on the outskirts of the town, plus on the outskirts of Exmouth of around two and a half miles away, the new estate that begins at the top of Dinan Way and is still expanding westward. Surely that is enough building of new properties around Budleigh and Exmouth for the foreseeable future ??

Sent from my iPad

Full name: Mary-Jane Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The main vehicle access for Exmo_20 is 2.3 miles from Budleigh Salterton centre by road and 4 miles from Exmouth by road. Budleigh Salterton has not been taken into account when considering the Exmo_20 site, and it's facilities, services and amenities would be overwhelmed. Potential walking and cycling options to Budleigh Salterton or Exmouth are impractical given the site's position and topography.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mary-Jane Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The greenfield Exmo_20 site sits above the town having runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. No consideration has been given to the risk of flooding due to the impact of climate change.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 is unsound due to site selection not taking a risk-based approach so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mary-Jane Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Access to the site via the B3179 would lead to traffic congestion and air pollution affecting the Pebblebed Heaths. It will also have an adverse effect on regular traffic travelling to and from Budleigh Salterton. It is a rural road not built to support heavy traffic and suffers from many potholes and damage even now.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via B3179.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mr Robert Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am objecting to the building of approximately 700 houses plus industrial units on the area known as Exmo20. This land is still an area of outstanding natural beauty and the land is now part of the National Landscape. Building on land outside the National Landscape would be cheaper, making possible a bigger percentage of affordable homes. The exit from this site would increase traffic at an already very busy road junction. There would be a road going straight across the much used safe Exmouth to Budleigh Salterton cycle/footpath, endangering families with young children, elderly people, cyclists and people in wheelchairs and on mobility scooters. EDDC's duty is to conserve and enhance this land, building a large estate on Exmo17 is neither conserving or enhancing it.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EDDC's duty is to conserve and enhance this land, building a large estate on Exmo17 is neither conserving or enhancing it.

Full name: Susan Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the building of housing and industrial buildings on the Exmo-17 site for the following reasons:-

1. A large housing estate and industrial buildings should not be built on protected farmland in an area of outstanding natural beauty, now called National Landscape. EDDC have a duty to conserve and enhance it.

2. The proposed vehicle access road would go across the existing Exmouth to Budleigh Salterton cycle and walking path. This path is at present a safe place to walk and cycle with children away from traffic. It would not be the case if the access road crosses it.

3. This prime site with sea views would be used largely for high end housing which would probably be purchased by those outside of Exmouth. The need locally is for affordable housing. Clinton Devon Estates have other less valuable land that should be considered rather than this land in the protected National Landscape.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I strongly urge you to consider other options.

Full name: Mary-Jane Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The development does not preserve a great enough rural boundary between the site and Pebbled Heaths, endangering habitats, in particular that of the ground nesting bird, the Nightjar.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, or if not possible, reduce the size. Move the boundary away from the Pebbled Heaths. Do not access the site via B3179.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Theo Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exma_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies P801, PBOZ, PB03, PB04 and OLO2 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "it was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind". Furthermore, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32. 2. Allocation of Exmo 20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, P803, PB04 and OLO2 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km (HRA 4.10), and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and

significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m (Underhill-Day, 2005) currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TRO1, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it. 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December

2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo 20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TRO1 and TRO3, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TRO1 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1" Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. 10. As a local resident my family and I have felt the effects of overloaded local infrastructure. Budleigh Salterton had the most incidents of sewage outlets directly into

the sea of any place in the UK. On numerous occasions last summer visitors to Budleigh beach were unable to enter the water. How can the addition of 700 homes be justified when the current sewage system clearly can't cope with the houses that are already in place? 11. The B3179 is a dangerous and highly trafficked road that cannot take more throughput without incurring serious risk. There is no obvious way to upgrade this road as it passes through protected habitats. Thank you

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan or reduce it in size so as not to infringe upon the Pebbleben Heaths and remove access via the B3179.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Mary-Jane Jones

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: As Devon Wildlife Trust stated: the allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the Pebblebed Heaths' significant habitats. The development ignores the Conservation of Habitats and Species Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmouth Exmo_20 by two-thirds. Move the settlement boundary away from the Pebblebed Heaths.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Keen

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Adjacent to Pebblebed heaths which the council have refused permission for other nearby homes to have holiday cottages on their own land as extra footprint from people would severely damage the Pebblebeds. Infrastructure is not capable of supporting this development as it is already breaking down for the current population. Secondary school in Exmouth is not adequate for increase in children attendance. Wildlife - both animals and plants would be severely affected, if not destroyed, having a knock on effect on our environment. Loss of green spaces/rambling - soon have less green space than London. The plan is in conflict with so many current lives and the well-being of Exmouth and surroundings.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Kew

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing as a local resident to object to the proposed development on Exmo_17, which lies within a protected National Landscape.

Exmouth needs genuinely affordable homes for local people, not predominantly high-end housing in a sensitive landscape. Building outside the National Landscape would allow more affordable homes to be delivered at lower land cost.

The development would add hundreds of extra vehicles to already congested roads, particularly opposite the Liverton Trading Estate. For many people working in Exeter, driving would remain the only realistic option.

I walk the Exmouth–Budleigh path regularly with my dog and also cycle and run along it, as do many of my friends. I also spend a great deal of time on the South West Coast Path, which looks directly across these open fields. The proposed access road would cut across the cycle and footpath, require the loss of mature trees, and permanently change the character and safety of these much-loved routes.

For these reasons, I strongly object to the development of Exmo_17 and urge the council to protect this precious landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ellen kinnear

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ellen kinnear

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

OBJECTION Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the competent authority the LOA

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ellen kinnear

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the See Stop Exmo.20 Facebook page for full comments SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ellen kinnear

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NOPF paragraph 32

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jane Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Exmo20 is in conflict with para 109 of the NPPF Dec 2023.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Budleigh Salterton must be taken into account by the LPA when considering the Exmo20 allocation

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jane Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo20 is in conflict with para 92 and 109 of the NPPF Dec 2023

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: If Exmo 20 is to go ahead, access must be from the south.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jane Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Exmo20 is in conflict with para 206 of the NPPF Dec 2023.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: access to the south should be explored and/or the site boundary should be moved to the south.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jane Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo 20 is in conflict with paras 16c, 92, 114b, 114d, 180e and 181 of the NPPF Dec 2023.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site from the B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Tom Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is in conflict with paras 92 and 109 of the NPPF Dec 2023 and policies TR01 and TR03. It also conflicts with paras 3.6 and 11.2 of the local plan

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and access the site from the South.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Tom Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation is in conflict with Para 109 of the NPFF Dec 2023. It also conflicts with Policy TR01 and Para 11.6 of the Local Plan

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via B3179.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jane Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jane Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Tom Kinnersley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Knott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI, the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "it was not possible to scene out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks". This site was selected on 03/09/24 (without option to reconsider) with the draft local plan approved on 11/12/24, on the assumption that a mitigation strategy would be forthcoming prior to undertaking an appropriate assessment in 30/01/25 HRA, contrary to CJEU 'People over Wind'. Please note, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF para 32.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Allocation of Exmouth_20 is in conflict with-areas.16c, 32, 181, 185, 186b, and 188 of the NPPF December 2023 and therefore unsound and not legally compliant. it also conflicts with par3.6, policies PB01, PB02, PB03, PB04, and 0L02 of the Local Plan. Due to the Exmouth_20 site being so close to the adjacent Pebbled Heats SAC/SPA/SSSI, it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreation activities like dog

walking, cycling and walking, thus causing harm to highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt of a rare species like the nightjar. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: It is in conflict with paras 16c, 32, 73b (specifically footnote 38 and 7) 180d, 180e, 181, 185a, 186b, 188, and 191c of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with para 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the local Plan. Allocation of Exmo_20 is in conflict with paras 16c, 92, 114b, 114d, 180e and 181 of the NPPF December 2023 and is therefore unsound and not legally compliant. It also conflicts with para 3.6, policies TR01, OL09 and PB04 and para 11.2 of the Local Plan. The current proposal is to have the bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncounded highway works, not confirmed by Devon County Council. The B3179 is a narrow windy road that is heavily used at rush hour times and the inevitable increase in traffic will cause countless delays for people getting to work and school. Cumulative and in-combination effects on B3179 MUST be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The HRA (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation...to air quality", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Knott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

llocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I want my voice to be heard

Full name: NICHOLAS LAMBRECHTS

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Vanessa Land

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Too many houses built on our green space, and sewage system isn't capable

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exm 20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Catherine Langston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Catherine Langston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Catherine Langston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Catherine Langston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Catherine Langston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Catherine Langston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nick Larkin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Nick Larkin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Louise Lawton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE

TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Simon Leat

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EX

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To check due process has been followed and be kept informed

Full name: H J M Lester

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objections to building on Exmo_17 (National Landscape) Re The proposal to build a huge housing estate and industrial building on our protected farmland which is an Area of Outstanding Natural Beauty (now known as National Landscape), opposite MacDonalds, Exmouth. Should this go ahead, I will regard it as crass negligence and maladministration on the part of EDDC, who will have failed to take into account the need for nature for our future generations. I also have other reasons for not wanting to see any building here.

1. Large housing estates should not be built on protected National Landscape (already mentioned, but needs emphasising again.)

2. The exit from this Exmo-17 site would create traffic chaos and the proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. I think this would endanger these users and there would be a loss of a peaceful amenity within the National Landscape.

3. Chapter 8: Housing Needs Building on land outside the National Landscape would be cheaper, making it possible for a larger percentage of affordable homes. We desperately need more social housing and affordable homes, but those being proposed on the National Landscape will be neither affordable nor social housing, as they are being built

as usual for profit, being high end, with no thought to the needs of the local people. Instead, they will be bought by incomers who can afford them, once again lining the pockets of the builders. They might claim to be proposing to build affordable homes, but in reality this rarely happens and any numbers mentioned are greatly reduced. Has Exmouth Town Council's assessment of housing needs been consulted?

4. Chapter 11: Sustainable Transport The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit. A new roundabout has been projected plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, as we experience with the pedestrian crossing outside Marks and Spencer causing traffic and the chaos caused with the building work and Dinan Way extension onto Exeter Road – in the middle of winter! What it will be like in summer is anybody's guess, but it can only get worse. To reach Exeter, where the jobs are, the choice would be to drive there, to catch two buses (passing every half hour) or a bus plus a train.

5. Chapter 12: Landscape Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status - despite hundreds of objections from residents. Why did you ignore these objections? It sounds suspiciously like another tick box exercise to say you have consulted with residents – not because you wanted to listen to what Exmouth residents had to say, but because you were obliged to consult. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments. EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***), has confirmed this in a letter to our MP, (***) Personal details have been removed (***), of 18th August 2025 extracts from which I give below). "I would like to assure your constituent that the Government recognises the importance of the natural environment to both mental and physical health, and I hope that my response will provide reassurance and be of help in this regard. While the Government believes the reforms in its Bill are critical to meeting its ambitious targets of building 1.5 million safe and decent homes by the end of this Parliament, we are clear that this should not come at the cost of the environment. The Nature Restoration Fund (NRF) is not simply about streamlining how environmental obligations are discharged, but about using funds more effectively to secure better outcomes for the environment. ...the NPPF is clear that decision-makers should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." In no way is building a large estate of 450

houses on Exmo_17 conserving or enhancing it, let alone being sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Instead, it would decimate the natural beauty of the land, be noisy, an eyesore and no more would people be able to enjoy the peace, flora and faunas of this beautiful area. There is no reason to build proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner. The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Does this mean that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

6. Chapter 15: Historic Environment The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also an old farmhouse on the perimeter. These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast – a place of haven for people to view and walk along. Exmouth is advertised as being part of this world heritage site, but could easily lose this status and the tourism it brings, if house building were to start on this land.

7. The Exmouth Conservation Area Management Plan mentions that “..the removal of small building details or the addition of inappropriate extensions will have a marked effect over a longer period of time. It is therefore important to manage, monitor and enforce seemingly insignificant changes within the conservation area”. I do not call the building of 450 houses in an Area of Outstanding Natural Beauty an insignificant change, but a major one that will not enhance the town, but will in fact detract from its beauty. It also mentions that green spaces are offered additional statutory protection through local planning policies and that trees are often very much part of the visual structure of a town or village. Their retention and appropriate management therefore needs to be kept a high priority. The designation of conservation areas offers such protection to trees and woodland. Whilst the builders will claim that they will restore biodiversity, etc., there is no way they are going to be able to replace the trees they fell to the size at which they are now. At the moment all I can see is that Exmo 17 is being treated as Green Belt land, which is about urban planning and growth management. However, it is not Green Belt land, but National Landscape land, which is about landscape protection and conservation and nothing to do with building a massive number of houses. Furthermore, National Landscapes are given equal protected status with National Parks. A policy paper published by the previous government in 2022 gives a response entitled “ Landscapes Review (National Parks and AONBs) government response” gives a lot of information regarding the protection of our National Landscapes and National Parks. It starts off by saying: “All of England's landscapes are important, but National Parks and Areas of Outstanding Natural Beauty (AONBs) are our most iconic and beautiful places. Based on their geology and history, these characteristic landscapes contain swathes of ancient woodland, deep peat and

grassland, and many of our most threatened species such as the red squirrel, curlew and water vole. Protected landscapes represent our shared heritage and national identity, and are home to many of our rural communities and businesses. They also support our nation's health and wellbeing as unique places to experience natural beauty and tranquillity.” and: “Our vision for protected landscapes is: ‘A coherent national network of beautiful, nature-rich spaces that all parts of society can easily access and enjoy. Protected landscapes will support thriving local communities and economies, improve our public health and wellbeing, drive forward nature recovery, and build our resilience to climate change.’” The review recognised the vast majority of AONBs are indistinguishable from National Parks and are just as important for people and nature National Planning Policy chapter 15 and para 189 – 191 and 193, also states: “189 Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks 190 When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. 191 Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 189), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.” Para 193 mentions that when determining planning applications, local planning authorities should apply various principles. The first mentioned states: “... if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused” This alone shows that considerable harm would be done to this site in building any houses, let alone 455, as they can be located on an alternative, non National Landscapes site – so planning permission should be refused.

8. EDDC must abide by The Countyside and Rights of Act 2020, in particular paras 85 and 87. “85.— General duty of public bodies etc. (A1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty

in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. 87.— General purposes and powers (A1) It is the duty of a conservation board established in relation to an area in England, in the exercise of their functions, to seek to further— (a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and (b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty, but if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).” This means that EDDC will be acting illegally if they decide to grant planning permission to Bloor Homes to build on National Landscape Land and should in fact be promoting Exmo 17 Area of Outstanding Natural Beauty to residents and tourists alike.

I am also attaching two letters that were sent to the Exmouth Journal in 2025, by other people who clearly were not happy. I agree with their sentiments and would like you to take them into account.

Finally, I would appreciate it if, for once, you read and consider carefully all the objections you receive from people regarding Exmo 17 and do not treat them as just a tick box exercise to say that you have consulted with people. It does not matter whether it is one or a billion and one people who object, they all count and not only must be taken into account, but their concerns must be acted upon and not disregarded. Your portal is extremely difficult to get into and I consider that this is done deliberately so that people give up and the Council can claim that not many people objected – which could well be far from the case.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the draft local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Full name: Jacqueline Mary Lock

Proposal:

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Jacqueline Mary Lock

Proposal:

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_2 from the draft plan

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

Full name: Kim Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Good evening. I am a frequent user of the Exmo_17 walk path and today I have learned that there are plans to build more houses and a road in the middle of the path leading to Budleigh. As someone who is autistic and uses this walk path as a safe space away from noisy roads, I am very upset that this walk path will be built upon with even more houses and a road. This walk path is used regularly by everyone every day and considering this walk path is also an area of outstanding natural beauty, it is horrible and upsetting that this path is even considered for building upon. Please DO NOT build on this path. Not only will building upon it be upsetting to everyone who uses it, but it would also disturb the natural wildlife that lives there as well as local farmers who use the nearby fields for their animals.

I appreciate you taking your time to read this and please consider what I have written. Thank you.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge

East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Take Exmo_20 out of the local plan

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East

Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jacqueline Mary Lock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Carol Long

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I want to strongly object to the planning permission at the fields surrounding and above st Johns in the wilderness church. It's an area of out standing beauty, wild life haven, and another piece of countryside lost. Please re consider this, Exmouth is becoming more like a city, less more of a town, which we all love and cherish.

Full name: Penny Lowery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The above is a terrible idea. I would like to voice my objection.

I can't write much as I've a visual impairment.

I hope you will reconsider. thank you.

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I strongly object to the allocation of Exmo_20. A video taken at St John's Campsite on 21 January 2026 shows powerful, overflowing drains during heavy rain. This is real-world evidence of how vulnerable this area already is to flooding. Adding a major housing development above the town will only make this worse. Withycombe Brook already has a long history of flooding in Exmouth, and the Strategic Flood Risk Assessment barely mentions it. The Exmo_20 site sits on higher ground, and its runoff flows directly into the brook, which then passes through some of the most populated parts of East Devon. This puts homes, businesses and residents at even greater risk.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 16(d) of the NPPF (Dec 2023) and is therefore unsound and not legally compliant. The Plan contains an over-supply of housing allocations because it does not use the "most recent data published at the time" from the ONS, as required by the MHCLG Housing and Economic Needs Assessment guidance. The figure of 1,188 quoted in paragraph 3.11 was calculated in February 2025, before the release of the 2024 ONS data, and is therefore invalid. Using the correct dataset reduces the figure to 1,156, with 80% equating to 925, and produces a 22-year plan requirement of 20,342 (without rounding errors). This represents a reduction of 567 dwellings. Many policies in the Plan rely on demonstrating an overriding need to justify impact or harm. Because the housing figures are incorrect, this justification does not exist—particularly in relation to the Mitigation Hierarchy assessment. Exmo_20 should be removed from the Plan due to the extensive mitigation required to address its impacts on the internationally and nationally designated Pebblebed Heaths SPA/SAC/SSSI. Additional numerical and mathematical errors appear in evidence documents HOU-002 (Oct 2025) and HOU-001 (Nov 2025). These errors must be corrected and re-consulted upon, as they underpin the Local Plan's housing policies. Paragraph 16(d) of the NPPF (Dec 2023) requires that "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals." The current evidence base does not meet this standard

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 109 of the NPPF (Dec 2023) and is therefore unsound. It also conflicts with Policy TR01 and paragraph 11.6 of the Local Plan. The proposed main vehicular access for Exmo_20 lies 2.3 miles from the centre of Budleigh Salterton and 4.0 miles from the centre of Exmouth. This would place disproportionate pressure on Budleigh Salterton, contrary to the settlement hierarchy, yet the town has not been properly considered by the LPA in assessing the impacts of this allocation. The site's topography, and that of the surrounding area, further reduces the practicality of walking and cycling—an issue not reflected in the policy maps—resulting in a development pattern that would embed car dependency rather than support sustainable travel.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF (Dec 2023) and is therefore unsound. The LPA has attempted to retrospectively alter the Site Selection Methodology (SSM) to justify including Exmo_20. The May 2022 SSM was the version used during the Regulation 18 process. However, after 11 December 2024—the date the draft Local Plan was approved for Regulation 19 publication—the methodology was amended. This December 2024 version was then presented in the first Regulation 19 evidence library as though it had been used for site selection, despite not being applied at that stage. Such retrospective alteration raises serious concerns and appears inconsistent with the Nolan Principles. The original May 2022 SSM, which was used for Regulation 18, contains wording that would have prevented Exmo_20 from being selected. Relevant extracts include: Stage 2: Site Sifting (1.8) A sifting process is undertaken to ensure that only “reasonable alternatives” progress. Only sites meeting criteria a), b) and c) are carried forward to Stage 3. Criterion a) Site must be assessed as “suitable, available and achievable” in the HELAA. Subtext point 6 “It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.” Under the methodology actually used at Regulation 18, Exmo_20 should have been excluded.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is in conflict with NPPF (Dec 2023) paragraphs 92 and 109, and with Local Plan policies TR01 and TR03, rendering it unsound. It also conflicts with paragraphs 3.6 and 11.2 of the Local Plan. Exmo_20 would substantially increase reliance on car travel, requiring residents to make additional and more convoluted journeys via the proposed B3179 access point to reach everyday facilities and services. There is no evidence that essential local services can be accessed safely or conveniently by walking or cycling. Recent changes to Policy TR01 strengthen this conflict, as walking and cycling being the primary modes of travel is now a mandatory requirement rather than an aspirational one. The site's isolated location and its dependence on the B3179 for access would result in an unsustainable pattern of development, generating significant vehicle movements for residents travelling to Budleigh Salterton and Exmouth. For homes located in the southern part of the site, the proposed access arrangement would require at least 1km of internal driving for every outward and return journey, further embedding car dependency. These roads are dangerous with hidden dips, extreme bends and accident hotspots.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

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Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF (Dec 2023) and with Local Plan paragraph 3.6 and policy AR01(b), rendering it unsound. The Level 1 Strategic Flood Risk Assessment references Withycombe Brook only as a footnote in Table 5-3, despite Exmouth having numerous and significant flood-risk pathways, with recorded fluvial flooding in 1960, 1983 and 2012. Withycombe Brook already presents notable flood-risk areas, even before accounting for current and future climate-change impacts. Exmo_20 is a greenfield site located upslope of the town, with tributaries and surface runoff feeding directly into Withycombe Brook, which flows through the most densely populated wards in East Devon. The Local Planning Authority has not applied the required sequential, risk-based approach to site selection to avoid increasing flood risk to people and property. I have video of overflowing drain taken outside St Johns campsite on 21st January which I am unable to upload but happy to share.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is in conflict with NPPF (Dec 2023) paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 and 191, and is therefore unsound. It also conflicts with Local Plan Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 and 13.24. Exmo_20 lies within Strategic Nature Area 368, which functions as a critical buffer between Exmouth and the internationally and nationally designated Pebblebed Heaths SPA/SAC/SSSI. The site provides supporting habitat for Nightjar foraging—a key qualifying species for the SPA and a Section 41 Priority species—and forms an important wildlife corridor linking the Pebblebed Heaths to the coast. Development here would undermine the conservation objectives of the SPA. Devon County Council is in the final stages of designating this land as a Local Nature Recovery Area within its forthcoming Local Nature Recovery Strategy (due March 2026), in line with the Environment Act 2021. The site contains veteran trees, ancient woodland and species-rich hedgerows, all of which are vulnerable to fragmentation if development proceeds. Devon Wildlife Trust, in their Regulation 19 response, emphasise that the entire Exmo_20 allocation lies within a Strategic Nature Area identified for nationally important habitats and species. They state that SNAs should be prioritised for enhancement, not development, and warn that the sensitive habitats and species associated with the NNRS/SAC/SPA/SSSI designations would be exposed to significant detrimental effects. They conclude that it is not feasible to develop this site without causing adverse effects on the integrity of the SAC and strongly urge East Devon District Council to remove the allocation from the Local Plan. I reserve the right to comment further once a supporting HRA and mitigation strategy are available and request to be notified when these documents are provided.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF (Dec 2023) and is therefore unsound. It also conflicts with Local Plan Policies HE02 and OL01(D). A development of this scale surrounding St John in the Wilderness Church (Grade II* listed) would cause significant harm to the church's remote, tranquil setting. The church, churchyard and surrounding buildings—part of a Medieval Saxon settlement site—are defined by dark skies, seclusion and a distinctive 'wilderness' character. This setting would be irreversibly damaged by encircling the area with housing, even if a buffer zone were retained. Historic England, in their Regulation 19 consultation response, emphasise that Exmo_20 covers a large area to the east and northeast of Exmouth, much of which lies within the setting of the Grade II* listed church. They state that development "could result in considerable harm" to this asset, which the NPPF identifies as being of the highest significance (para 206b). They also raise concerns about the proposed long access road from the B3179, noting that it could itself harm the setting and create future development pressure. Historic England advise that alternative access from the south should be explored. If evidence shows development can be accommodated in less sensitive southern areas, the site boundary should be amended. If this is not achievable, the scale and type of development should be reduced to only what can be justified without causing unacceptable harm.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with NPPF (Dec 2023) paragraphs 16c, 92, 114b, 114d, 180e and 181, rendering it unsound and not legally compliant. It also conflicts with Local Plan policies TR01, OL09 and PB04, as well as paragraphs 3.6 and 11.2. There is no viable access solution for the site. The proposal to route the majority of traffic onto the B3179 would require major, uncertain and uncostered highway works that Devon County Council has not confirmed as feasible. The cumulative and in-combination impacts on the B3179 must be assessed, including increased congestion and air-quality effects on the adjacent Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) states that there is “currently not sufficient certainty to rule out adverse effects on integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA).” This is directly linked to the proposed primary access onto the B3179, which would channel additional traffic along the boundary of the protected site. Allocating Exmo_20 is therefore incompatible with the precautionary approach required under the Habitats Regulations and contrary to the Mitigation Hierarchy—where avoidance must be prioritised over mitigation, as mandated by the Environment Act 2021. The Mitigation Strategy itself confirms that “mitigation cannot be assumed without evidence (People Over Wind; Sweetman).” As no reasonable scientific certainty has been provided, the inclusion of Exmo_20 in the Plan is unlawful.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 181, 185, 186b and 188, rendering it unsound and not legally compliant. It also conflicts with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02. Because Exmo_20 lies directly adjacent to the Pebblebed Heaths SAC/SPA/SSSI, it is unlikely that Suitable Alternative Natural Greenspace (SANG) of the necessary quality, scale, and proximity could be provided to divert residents from using the designated heathland for dog walking, cycling and other recreational activities. Such use would risk harm to protected habitats and species. Evidence shows that “just one event leading to predation is enough to end that nesting attempt” for ground-nesting European Nightjar, a qualifying SPA feature [Langston et al., 2007]. In the absence of robust evidence to the contrary, the Competent Authority must apply the precautionary principle. The RSPB, in their response to the first Regulation 19 consultation, expressed strong concerns that mitigation for allocations closest to the heathlands—particularly Exmo_20—would be ineffective in preventing damaging impacts on SPA/SAC habitats and species, including additional nitrogen deposition from increased traffic. They highlight risks of both direct and indirect loss of foraging habitat, increased cat predation on ground-nesting birds, and increased recreational pressure (including dogs off leads) if residents choose to use the heathland for daily activities. The RSPB further notes a significant risk that SANG and open space associated with the development would be insufficient to prevent harmful increases in recreational use of the designated heathlands. Although SD01 states that development within 400m of the Pebblebed Heaths will not be permitted, there is no mechanism to prevent residents or domestic cats from accessing the heathland. This risk increases the closer new dwellings—and their associated cat

populations and recreational needs—are located to the protected site. I reserve the right to comment further once a supporting HRA and mitigation strategy are provided and request to be notified when these become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan.

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 73b (including footnotes 38 & 7), 180d–188 and 191c, rendering it unsound and not legally compliant. It also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04 and OL02. A minimum 400m exclusion zone next to the Pebblebed Heaths SAC/SPA/SSSI is required. This buffer is intended to mitigate cat predation and other urban pressures, yet evidence shows domestic cats can roam over 2km in rural areas [Hall et al., 2016; Metsers et al., 2010; HRA 4.10]. Given that the ground-nesting Nightjar is a qualifying SPA feature and highly vulnerable to predation—where even a single event can end a nesting attempt [Langston et al., 2007]—a precautionary buffer significantly greater than the pragmatic 400m currently proposed is warranted. Exmo_20's inclusion depends on a mitigation strategy and HRA that have not yet been produced in a form capable of supporting the Plan. In their absence, the precautionary principle must apply. At minimum, the 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI should be removed from the allocation. This land provides functionally linked foraging habitat for the European Nightjar (a key SPA species and Section 41 Priority species), and a larger buffer will also be required to address recreational impacts—dogs off leads, cycling, and walking—none of which have been assessed at site level. This position is supported by multiple ecological bodies, including DWT and RSPB. The East Devon National Landscape Partnership stated in the first Regulation 19 consultation that a 400m buffer “does not seem significantly large enough” to prevent disturbance, habitat fragmentation, and degradation, and therefore supports non-adoption of the site. If the site must remain under consideration, they recommend a substantial reduction in scale and a shift of development closer to the existing settlement to maintain a meaningful

rural boundary with the Pebblebed Heaths. The allocation is further weakened by the availability of multiple alternative sites requiring far less mitigation, and by the Plan's over-allocation of housing due to the failure to use the latest mandatory ONS data. Natural England also notes that the policy lacks clarity on the location of employment uses and recommends a natural buffer along the B3179, with potential to move the settlement boundary further from the SAC/SPA and secure a green buffer via S106. This would represent clearer, sounder planning and better reflect the restrictions required around the East Devon Heaths SAC/SPA. I reserve the right to comment further once a compliant HRA and mitigation strategy are provided and request to be notified when these become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

Full name: Keith Luckhurst

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 conflicts with multiple requirements of the NPPF (paras 16c, 32, 73b with footnotes 38 & 7, 180d–188, and 191c) and is therefore unsound and not legally compliant. It also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04 and OL02. Because the site sits directly next to the Pebblebed Heaths SAC/SPA/SSSI, it depends on extensive habitat and species mitigation that has not been shown to be achievable or viable. The mitigation strategy itself states that a Likely Significant Effect could not be ruled out, and the Plan’s HRA confirms that the proposed growth would exceed threshold levels with no current means of mitigation. The site was selected on 03.09.24 and included in the draft plan approved on 11.12.24 on the assumption that mitigation would be developed later. An appropriate assessment was only undertaken in the 30.01.25 HRA, contrary to the CJEU “People Over Wind” ruling and the required precautionary approach, reinforced by the “Dutch N” judgment. Selecting a site with known mitigation requirements also requires clear justification under the Mitigation Hierarchy (NPPF para 32). The LPA has not carried out this assessment, despite the availability of other suitable, lower-risk sites and an overall oversupply of allocations caused by not using the latest mandatory ONS data. Devon Wildlife Trust has already stated that the site currently acts as an essential buffer between Exmouth and the designated heathland, and that development would degrade ecologically important land outside the protected boundaries. Overall, the LPA has shown significant failings in its duties as the Competent Authority under the Habitats Regulations. I reserve the right to comment further once a compliant HRA and mitigation strategy are provided and request to be notified when these become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

Full name: Lyn Lynch

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation is unsound as it conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

Full name: Lyn Lynch

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179 but to make this viable would require major uncertain and uncounted highways works not confirmed by EDCC. Cumulative and in combination effects on B3179 must be considered both in terms of traffic and congestion and air pollution.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: W J C Lyne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Full name: W J C Lyne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: W J C Lyne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Substantially reduce the area of proposed development if it cannot be excluded completely in light of other developments in East Devon.

Full name: W J C Lyne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

Full name: W J C Lyne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the LPA completely, as new towns around Exeter and Clyst St Mary will provide adequate housing in more convenient areas for transport and work links.

Full name: W J C Lyne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA appears to be in conflict with EDDC's responsibilities as a competent authority under the Conservation of Habitats and Species regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the Local Plan in its entirety.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: EDDC have largely ignored the substantial objections presented at the initial consultation.

Full name: Helen Madell

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmouth 04 should have never been included in the Local Plan, it was included at second meeting as 'least worse option', when in fact it is one of the worst options. This area is old parkland, laid out in mid to late 1700s, it contains many ancient and veteran trees and woodland., as verified by EDDC's own tree officer. This area is home to many endangered species, many of which are on the RED LIST, This area is WOODPASTURE PRIPORITY HABITAT, which has its own protections, however these protections are increased by the presence of many veteran and ancient trees. National Planning Policy standing advice is that planning should be refused, therefore it begs the question Why is this site being put forward? 50 houses could be accommodated on other sites in ,East Devon without destroying so much.. EDDC want to increase tree cover and increase biodiversity and yet want to destroy one of the most biodiverse sites in Exmouth . This site is unsustainable as a car would be required . This is a sloping site with water runoff from commons, hard landscaping could result in flooding further into Exmouth. This site is up to 400m buffer zone to the Pebblebed Heaths. Access to this site is dangerous

Full name: Louisa Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo20_ from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: Damage to wildlife caused by the proposed development

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Louisa Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Remote location requires car travel by all possible residents to either Budleigh or Exmouth. There is nothing local for people to walk too,

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo20_ from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Louisa Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Insufficient infrastructure for the existing community demands let alone with 700 homes in a relatively remote location

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo20_ from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Louisa Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Dangerous access by road. Development will lead to much increased road traffic along a narrow country road.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Louisa Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Adjacent to the Pebble heaths will lead to damage

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Louisa Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Damage to the Pebble heaths by residents of the proposed scheme using them for excessive / damaging recreational purposes

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: All residents should need car travel to get to Budleigh at 2.3 miles away or Exmouth 4 miles away

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Destruction of Strategic Nature Area 368

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Hugely detrimental effect on St. John in the Wilderness Church and its protective Grade II Listing

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Remove access from proposed site via Southern Wood

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: No safe and viable access to the site. Huge roadworks required which will have detrimental affect on the Pebbleheaths

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 as adjacent to Pebbleheaths difficult to provide suitable SANGS to dissuade residents from substantial recreational activities on the Pebbleheath

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Too close to Pebblebed Heaths and no viable migration nor habitat strategy exists

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kenneth Malone

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Allocation of Exmo_20 conflicts with NPPF December 2023 and para 3. 6 of the Local Plan

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_3 from the local plan

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Repeatedly I have tried to get on the Commonplace site to object, to find the site is not available. So I am contacting you this way. I wish to strongly object to the above development which will have a huge impact on Budleigh Salterton - as this is the nearest town 2.3. miles away. The planned development is on the far north east reach of Exmouth & although within its boundary is far nearer to Budleigh Salterton. We have little enough infrastructure in Budleigh as it is, adding 700 homes = at least 1400 cars & more than 1400 people is not sustainable.

Full name: Peter Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Infrastructure and roads are incapable of coping with any more usage. Sewage is already at capacity and cannot cope look at the amount of leakage. It is nearer Budleigh Salterton who have NOT been consulted, this is only 2.3 miles from Budleigh and will have a hugh impact.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXM_20 from the local plan.

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: A large development of 700 houses around the tranquil, remote setting of St John in the Wilderness Church will adversely affect the dark skies & "wilderness" setting regardless of a "Buffer Zone" left around it.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Totally against Exmo_20 being in the Local Plan

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Inadequate roads for increase in traffic. Lack of infrastructure to support a further approx. 1,500 people. This planned development is much nearer to Budleigh Salterton which will feel the impact on services

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Totally against this development

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have grave concerns about the effect on Budleigh Salterton just 2.3 miles away. The planned development is much nearer to Budleigh Salterton than Exmouth. Hence already stretched services there will not be able to cope.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am totally against this development

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The only access to this development is via the Common Road B3179. This road is already becoming very busy with additional developments. 700 houses = at least 1400 cars. How is this road to cope? Every existing junction has poor visibility & a danger to enter / exit.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Totally opposed to this development

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Over use of the Heathland for recreation ie increase in cycling, walking, dog walking.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
damage & disturbance to the local area of East Devon National Landscape, due to increased traffic & visitor numbers

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Mrs Janet S Manfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The effect on species & habitat on the Pebblebed Heath.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: My extreme opposition to this whole development

Full name: Helen Marchant

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Planning Policy Team,

I am writing to formally object to the proposed allocation of land known as Exmouth 04 (off Higher Marley Road, known locally as The Lawn) in the Second Ref 19 Consultation of the East Devon Local Plan.

This site is a historic parkland and wood-pasture priority habitat of exceptional environmental and heritage value. It supports numerous protected and endangered species, many of which are recorded on the Red List, as detailed in the ecological reports. The site also contains a significant number of veteran and ancient trees, including some of the oldest Lucombe Oaks in the country. Such habitats are irreplaceable and should be afforded the highest level of protection.

The Lawn predates the Marley estate and was likely laid out in the mid-18th century when the former house “Whimsey” was built. Its historic parkland character remains intact and contributes substantially to the local landscape setting and heritage value of the area. Development would result in irreversible harm to this historic environment.

The site also functions as a vital wildlife corridor, with ancient woodland on either side of a narrow field, enabling species movement through the landscape. Additionally, there is an underground stream running through the centre of the site. Any diversion or hard landscaping associated with development would significantly increase flood risk, with potential downstream impacts on Exmouth, particularly given runoff from surrounding commons.

Access to the site via Higher Marley Road would increase traffic pressure, with knock-on effects on Dinan Way and routes across the Common. This raises serious concerns regarding highway safety, congestion, and the sustainability of access arrangements. Furthermore, the site lies within approximately 400 metres of the Pebblebed Heaths, an area of internationally recognised ecological importance, and development risks increasing recreational and environmental pressure on this sensitive landscape.

I understand that national planning policy and standing advice indicate that development on such sensitive wood-pasture and historic parkland sites should be refused. It is therefore deeply concerning that this allocation has been put forward despite the acknowledged constraints. The scale of development proposed (up to 130 dwellings) is wholly inappropriate for a site that was previously considered suitable for far fewer homes, if any.

For these reasons, I strongly object to the allocation of Exmouth 04 in the Local Plan and urge East Devon District Council to remove this site from consideration and afford it appropriate long-term protection.

Thank you for considering my objection.

Yours faithfully,

*** Personal details have been removed *** Exmouth Resident

Full name: Brian Martin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to raise objection to the inclusion in the Local Plan to the development of land identified as EXMO_17 for the reasons as follows:

(1) Large housing estates should not be built on land designated as National Landscape. This land should be protected.

(2) The access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users. (children/elderly/cyclists/families/dogs) and cause traffic chaos on the Salterton Road.

Full name: Simon & Mandy Martyn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This email is to protest strongly, but calmly & rationally, about the above project.

By way of briefest possible background, I am 3rd generation Budleigh Salterton, and my paternal ancestors lived & farmed in Devon for centuries.

The second point I would place on record is that, after a business career spent almost entirely abroad & spanning 34 years, I have spent my last 31 years working for wildlife conservation across the world, and my wife and I have been long-running supporters of Devon Wildlife Trust. We are both now 85, but still reasonably fit, active and capable of rational thought

The beautiful and wildlife friendly habitat on Woodbury Common is far too valuable to be turned into yet more 'Urban Sprawl'. In fact the whole of the much loved SW countryside is now under constant threat from development - to say nothing of the massive increase in road traffic. And when we made our last trip to Exeter along the B3179 last week we were horrified by the sheer quantity of roadside litter.

I will not expect a response to this message, other than a possible routine standard acknowledgement, or spark reconsideration of the proposed large scale housing

development. However, If this sort of development on natural landscapes continues, all our future generations will bitterly regret it.

We are always open to contact by telephone and would welcome a chance for calm discussion: we know that some of our friends and neighbours have already raised highly relevant issues concerning increased pressure on local schools, medical facilities, public transport etc.

Best wishes, because we know you are all very busy, but a development of this size in this location is seriously wrong from every angle.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_20.

Full name: Alison Elizabeth McLaren

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Susan Miller

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I still think there are far too many homes being built on green belt land, particularly the area just off Salterton Road, opposite Liverton Business Park where The Range, Pets At Home etc are. More "brown field" sites in town should be found to build on, if people are supposed to be so desperate to find homes.

Also, will there be more cycle paths built as part of this new "Local" plan? There are nowhere enough cycle paths in Exmouth at present. Exeter, in comparison, is quite well provided for with cycle paths.

Full name: Francesca Mills

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The main access point of Exmo_20 is significantly closer to BudleighSalterton than Exmouth, making Budleigh it's most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the preferred choice for residents of Exmo_20. This undermines the settlement hierarchy and would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the Local Plan. An alternative site to Exmo_20 for housing allocation should be selected, one which was deemed available, achievable & suitable in the HELAA. Exmo_20 would cause harm to the adjacent Pebblebed Heaths (SSSI/SAC/SPA/NNR) due to Exmo_20 being a supporting foraging habitat. Developing Exmo_20 is contrary to POLICY PB01 of the local plan and not in accordance with the mitigation strategy. Exmo_20 would cause harm to the heritage assets, most significantly St John in the Wilderness Grade II* listed church and churchyard, drastically altering the attractive rural setting for worship & burials which currently exists. This is contrary to POLICY HE02. Exmo_20 would have a detrimental effect on the adjacent designated wildlife sites and destroy the "tranquility, wildness and dark skies" of the countryside, which is contrary to POLICY OL01. Exmo_20 development would be in conflict with the Strategic Nature Area 368, fragmenting and isolating habitats and destroy wildlife corridors, contrary to PARAGRAPH 13.23 of the Local Plan. It would cause harm to irreplaceable habitats, veteran trees and species rich hedgerows across the site, contrary to PARAGRAPH 13.9. Exmo_20 is in conflict with POLICY OL09 and POLICY PB04 as the Habitats Regulations Assessment (30.01.25) states that there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA) such that the Plan fails the integrity test. Development of

Exmo_20 on heavy clay subsoil with ineffective soakaways, would exacerbate the already identified downstream flood risk along Withycombe Brook through Exmouth, which is already beyond its design capacity. This is in conflict with POLICY AR01B. Exmo_20 would increase the need for car travel and increase traffic congestion, in conflict with PARAGRAPH 11.2. The isolated location is unsustainable development as people would need to travel much further than 800m to existing key services and facilities, contrary to PARAGRAPH 11.6. It is too far (and too steep) from any town centre to use walking or cycling as their choice of transport. This is contrary to POLICY TR01.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Complete overhaul of infrastructure before new developments occur. Also increase in medical facilities for elderly population.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Current infrastructure including sewerage, medical facilities are unable to cope with current population & this will proposal will cause additional pressure. Also the huge damage caused to the environment to this area which is rich in wildlife should be considered. Brownfield sites should be used before any greenfield development is considered.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Helen Mitchell

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The size of EXMO_20 is too large and too close to Woodbury Common, a Strategic Nature Area. Access to the site from the B3179 is not sensible. This road is already busy as a main access route into Budleigh Salterton and access route to properties in the Marley area of Exmouth. It is narrow, twisty and dangerous particularly at night when motorists can be blinded by oncoming headlamps. It cannot accommodate the extra traffic that 700 new homes would create.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO-20 from the Local Plan or scale it down to a much smaller site accessed from Dinan Way. Do not build close to the Pebbled Heaths which is listed as a SPA/ SAC/ SSSI and contains protected wildlife.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Peter Money

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am very concerned about the proposed Local Plan particularly the proposal in it to build 400 odd houses and industrial units on the fields to the immediate East of Littleham church, Exmo_17 (National Landscape). This would have a negative effect on Exmouth in many ways. The area is part of an Area of Outstanding Natural Beauty (or National Landscape) and is one of the major attractions of Exmouth and particularly the eastern edge of the town.

But National Landscapes are also regional and national assets and should be protected as such. Building on them on this scale should be very much a last resort. There is a briefing document dated November 2024, Guidance for Local Planning Authorities, produced by the National Landscapes Association which makes this very point and indeed in stronger terms. It states that Section 85 of the Countryside and Right of Way Act 2000 (as amended by the Levelling-up and Regeneration Act² in December 2023) requires ‘relevant authorities’, in exercising or performing any function that affect AONBs in England, to “seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.” It states that this is a ‘statutory duty’, not discretionary, and is a strengthening of the previous ‘duty of regard’.

When it comes to site allocation the guidance states that if promoting a site allocation would not align with the duty to seek to further the conservation and enhancement of

natural beauty, then consider amending or deleting a site allocation (For example, choosing NOT to allocate a particular site within or close to the AONB boundary)

It is extremely difficult to see how building 400 odd houses and industrial units on the AONB is in any way seeking to further the conservation and enhancement of the natural beauty of the AONB. In fact clearly it is doing the opposite and therefore it would seem to me East Devon would be failing in its statutory duty if it were allow this allocation to remain in the plan.

In fact, as far as I can see the plan as a whole is very weak indeed on the question of AONBs. In its calculations and projections it seems to ignore the fact that planning and development in AONBs are totally different to in none-NL areas. Both areas seem to be just lumped in together. This seems particularly significant in an area like East Devon as it has such a high proportion of AONB land. It seems to me that this must call into question as to whether or not the plan as a whole can be considered a reliable enough document to underpin so many planning decisions for such a long period of years.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Chapter 8: Housing Needs

The real need in Exmouth is for houses that include social rent as well as shared housing schemes - my daughter cannot get social housing even though she is homeless. Has Exmouth Town Council's assessment of housing need been consulted for this?

The vast majority of houses proposed for the prime site of Exmo_17 will be very expensive and bought up by people from outside the area as well as those looking for second homes. The number of affordable houses will likely be fewer than proposed.

Chapter 11: Sustainable Transport

The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit.

A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to catch a bus plus a train.

The A376 is already problematic as it is so busy at commute times - one minor accident leaves the area gridlocked as traffic cannot get into or out of Exmouth when this road is out of action.

Chapter 12: Landscape

Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments.

EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed *** on behalf of the Housing Minister, (***) Personal details have been removed ***, has confirmed this in a letter to our MP, (***) Personal details have been removed ***, of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it. Once gone, it is gone forever.

There is no reason to build the proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this

is dangerous and a loss of a peaceful amenity within the National Landscape. It is a loss of irreplaceable mature trees which take 30-60 years to get to early maturity.

The landowner recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

Chapter 15: Historic Environment

The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also an old farmhouse on the perimeter.

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast. We risk losing this status.

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Removal of Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Amanda Moors

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pam Moreline

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Environmental Impacts:

- The site is habitat for deer, rabbits, hedgehogs, foxes, badgers, which need to be preserved, along with trees, birds, insect life, butterflies, etc.
- East Devon Wildlife Trust Nature Reserve is in the immediate vicinity and will be affected by:
 - increase (in large amounts) of traffic, which will pass nearby;
 - footfall will dramatically increase, and disturb a nature reserve with its birds and wildlife;
 - beavers (which are a protected species) are resident at Bystock Pool on the Nature Reserve, and active there at this time. Mental Health:
- Ruination of yet more natural beauty, by massive development such as the one proposed. Traffic Concerns:
 - Monumental increase in traffic (700-1,000 more vehicles at a conservative estimate).
 - Impact on Dinan Way of a major through road into Dinan Way from the development; already a hugely busy road, it will now become more of:
 - an eyesore;
 - noise and pollution will be horrendous;

- Dinan Way will soon become a potential motorway in a residential area.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Environmental Impacts:

- The site is habitat for deer, rabbits, hedgehogs, foxes, badgers, which need to be preserved, along with trees, birds, insect life, butterflies, etc.
- East Devon Wildlife Trust Nature Reserve is in the immediate vicinity and will be affected by:
 - increase (in large amounts) of traffic, which will pass nearby;
 - footfall will dramatically increase, and disturb a nature reserve with its birds and wildlife;
 - beavers (which are a protected species) are resident at Bystock Pool on the Nature Reserve, and active there at this time. Mental Health:
- Ruination of yet more natural beauty, by massive development such as the one proposed. Traffic Concerns:
 - Monumental increase in traffic (700-1,000 more vehicles at a conservative estimate).
 - Impact on Dinan Way of a major through road into Dinan Way from the development; already a hugely busy road, it will now become more of:
 - an eyesore;
 - noise and pollution will be horrendous;
 - Dinan Way will soon become a potential motorway in a residential area.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Richard Morgan

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Richard Morgan

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Helen Morgan-Parra

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Pat Morley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pat Morley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

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precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: David Murphy

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Council, I wish to lodge my objection to the proposed application of Exmo-17. I do not believe that it would be in the interest of the public, to permit Bloor Homes, to construct a large housing estate and industrial units on land adjacent Capel Lane and Salterton Road, Exmouth, known by yourself as Exmo-17. This land is a protected area of Outstanding National Beauty, now known as National Landscape.

As well as the obvious permanent destruction of the land and wildlife, I have other major concerns as follow; -

1. Large housing estates should not be built on National Landscape.
 2. Building on land outside of the National Landscape, would be considerably cheaper, thus providing the option of the inclusion of a higher percentage of 'affordable' homes.
 3. The proposed exit from the site (Exmo-17), would almost certainly cause traffic chaos, and the access road would directly cut across the much-used Exmouth to Budleigh cycle/footpath, thus endangering all users including the aforementioned, together with the sizeable number of users with disabilities, children, families and dogs.
- Yours sincerely, *** Personal details have been removed ***

Full name: Penelope Newton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proximity to the Pebblebed Heaths is too great and will undoubtedly lead to disturbance of the unique wildlife of this site. I do not believe a 400m buffer is sufficient to mitigate against these impacts. The additional public pressure 700 new homes will generate from dog walkers in particular will have significant impacts together with the high likelihood that domestic cats from the site will predate sensitive birds and invertebrates such as butterflies. They also predate lizards and snakes. This must not be allowed to happen. Once this special wildlife are lost it is extremely hard to replace. The wildlife of the Pebblebed heaths need to be able to move outside of the area itself they cannot be expected to remain in the boundaries so 400m is a zone in which the wildlife may move so a further buffer zone is needed from the 400m point of about the same again to minimise impacts on this sensitive flora and fauna. Also, migratory birds may be deterred from accessing the Pebblebed heathland because of the disturbance caused by both the building works and the new conurbation with associated people and traffic movements and also the additional night time lighting which will appear. Additional issues that a development of this size will cause include a significant increase in sewerage loading. The Exmouth sewerage system is already overloaded and regularly causing operation of the storm overflows which are affecting water quality in the watercourses and of course at our bathing beaches. Until this excessive operation of storm overflows is stopped this development should not proceed and nor should any others in this sewerage catchment. Then there is the impact of the additional vehicles and vehicle movements in this area. Exmouth already suffers congestion problems especially at peak times of day this development would add additional loading to some

significant congestion hotspots and to the problems of congestion on the Exmouth-Exeter Road.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Doesn't meet the wishes of the local population

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Malcolm Newton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proximity to the Pebblebed Heaths is too great and will undoubtedly lead to disturbance of the unique wildlife of this site. I do not believe a 400m buffer is sufficient to mitigate against these impacts. The additional public pressure 700 new homes will generate from dog walkers in particular will have significant impacts together with the high likelihood that domestic cats from the site will predate sensitive birds and invertebrates such as butterflies. They also predate lizards and snakes. This must not be allowed to happen. Once this special wildlife are lost it is extremely hard to replace. The wildlife of the Pebblebed heaths need to be able to move outside of the area itself they cannot be expected to remain in the boundaries so 400m is a zone in which the wildlife may move so a further buffer zone is needed from the 400m point of about the same again to minimise impacts on this sensitive flora and fauna. Also, migratory birds may be deterred from accessing the Pebblebed heathland because of the disturbance caused by both the building works and the new conurbation with associated people and traffic movements and also the additional night time lighting which will appear. Additional issues that a development of this size will cause include a significant increase in sewerage loading. The Exmouth sewerage system is already overloaded and regularly causing operation of the storm overflows which are affecting water quality in the watercourses and of course at our bathing beaches. Until this excessive operation of storm overflows is stopped this development should not proceed and nor should any others in this sewerage catchment. Then there is the impact of the additional vehicles and vehicle movements in this area. Exmouth already suffers congestion problems especially at peak times of day this development would add additional loading to some

significant congestion hotspots and to the problems of congestion on the Exmouth-Exeter Road.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this section from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Goes against the wishes of the local people

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Malcolm Newton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proximity to the Pebblebed Heaths is too great and will undoubtedly lead to disturbance of the unique wildlife of this site. I do not believe a 400m buffer is sufficient to mitigate against these impacts. The additional public pressure 700 new homes will generate from dog walkers in particular will have significant impacts together with the high likelihood that domestic cats from the site will predate sensitive birds and invertebrates such as butterflies. They also predate lizards and snakes. This must not be allowed to happen. Once this special wildlife are lost it is extremely hard to replace. The wildlife of the Pebblebed heaths need to be able to move outside of the area itself they cannot be expected to remain in the boundaries so 400m is a zone in which the wildlife may move so a further buffer zone is needed from the 400m point of about the same again to minimise impacts on this sensitive flora and fauna. Also, migratory birds may be deterred from accessing the Pebblebed heathland because of the disturbance caused by both the building works and the new conurbation with associated people and traffic movements and also the additional night time lighting which will appear. Additional issues that a development of this size will cause include a significant increase in sewerage loading. The Exmouth sewerage system is already overloaded and regularly causing operation of the storm overflows which are affecting water quality in the watercourses and of course at our bathing beaches. Until this excessive operation of storm overflows is stopped this development should not proceed and nor should any others in this sewerage catchment. Then there is the impact of the additional vehicles and vehicle movements in this area. Exmouth already suffers congestion problems especially at peak times of day this development would add additional loading to some

significant congestion hotspots and to the problems of congestion on the Exmouth-Exeter Road.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Because you are not cooperating with the wishes of local people by insisting on including this development.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Frances Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove it

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: On page 392 of the Sustainability Appraisal, it is stated that the 400 metre buffer from the Pebblebed Heaths SAC/SPA coincides with the higher, more prominent parts of Exmo_20, and that built development will not be permitted in this area, thereby reducing adverse landscape effects to a minor negative. However, this conclusion is not reflected in the Local Plan policies, which repeatedly state that development, including buildings, may be located within the upper parts of the site, including within the 400 metre zone. The Local Plan should accord with the findings of the SA, explicitly confirming no built development within 400 metres of the Pebblebed Heaths. This discrepancy is material. The exclusion of built development within the 400 metre zone significantly reduces the developable area of the site and directly affects its viability. This constraint further compounds the significant and material reduction in site area from the 85 hectares presented to Members and approved for allocation on 3 September 2024, and the site's viability should therefore be reassessed. On page 396, the SA states that the north-eastern part of Exmo_20 lies within a mineral safeguarding area, but that this largely coincides with the 400 metre buffer where development would not be allowed in any case. Again, this position is not carried through into the Local

Plan, which continues to allow development, including buildings, within the upper 400 metres of the site. The Local Plan should reflect the SA conclusions by removing land within 400 metres of the Pebblebed Heaths SAC/SPA/SSSI from the allocation and revising the settlement boundary accordingly. This inconsistency is particularly acute in relation to access, as the proposed access road would need to pass through land which, according to the SA, should not be developed. This creates a direct conflict between the Local Plan proposals and the SA conclusions, further undermining deliverability and viability. Finally, on page 399, the SA states that mitigation for impacts on the Exe Estuary and Pebblebed Heaths SPAs would be considered through the Habitats Regulations Assessment, but that for areas of Exmo_04 and Exmo_20 within 400 metres of the Pebblebed Heaths, mitigation would not be possible. Exmo_04 was amended to exclude the most sensitive area, resulting in Exmo_04a. No equivalent amendment has been made to Exmo_20, with no clear justification for this inconsistency. In line with the *People over Wind* ruling, mitigation cannot be assumed to justify site selection where likely significant effects cannot be excluded. The Local Plan should therefore accord with the SA by excluding land within 400 metres of the Pebblebed Heaths from Exmo_20 and revising the settlement boundary. Without this, and given the cumulative reduction in site area from the falsely claimed 85 hectares, the allocation of Exmo_20 is not justified, not viable and unsound.

Full name: Frances Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: On page 392 of the Sustainability Appraisal, Exmo_20 is described as extending to approximately 85 hectares, and a site of this size was presented to the Strategic Planning Committee on 3 September 2024. The scale of the site was clearly a material consideration, and Members were attracted by the perceived ability of a site of this size to accommodate development and associated mitigation, leading to the decision to include Exmo_20 in the draft Local Plan. However, the evidence presented to Members was not accurate, as the 85 hectare site shown did not in fact exist as an available site. The land promoted through the HELAA and subsequently available for allocation was significantly and materially smaller. Availability is one of the three HELAA tests and is a fundamental requirement in assessing site suitability. The presentation of a larger, unavailable site therefore misrepresented the true development potential and mitigation capacity of Exmo_20. This discrepancy is particularly significant given the site's proximity to the Pebblebed Heaths SAC/SPA/SSSI, where scale and land take are directly relevant to the ability to address impacts through avoidance and mitigation. In line with the People over Wind ruling, mitigation cannot be assumed or relied upon to justify site selection in advance of a lawful Appropriate Assessment. Presenting an inflated site area prior to completion of the HRA materially undermines the evidential basis of the decision. As Members were asked to make a strategic allocation decision on the basis of incorrect and misleading evidence regarding site size and availability, the decision to include Exmo_20 is not soundly based, is procedurally flawed, and the allocation is therefore unjustified and unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the plan

Full name: Frances Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: On page 390 of the Sustainability Appraisal, it is stated that sites on the north-eastern side of Exmouth, including Exmo_04 and Lymp_09, 10, 13, 14 and 17, lie especially close to the Pebblebed Heaths and that development of these sites could lead to some of the greater adverse impacts. The SA further states that a large part of Exmo_04 falls within the 400 metre exclusion zone on account of domestic cat predation and recreation impacts. This is incorrect. The 400 metre exclusion zone relates to urban effects, principally cat predation and urbanisation, not recreational impacts, which are assessed separately through access and visitor pressure mitigation. This demonstrates a misapplication of the Habitats Regulations framework by the LPA in its role as Competent Authority. On page 391, Exmo_20 is considered without similar reference to “greater adverse impacts”, despite being the largest site and directly adjacent to the Pebblebed Heaths SAC/SPA/SSSI. This represents an inconsistent and unbalanced assessment within the SA. The latest HRA identifies an “inherent conflict” between development at Exmo_20 and the integrity of the European site, yet this is not clearly reflected or reconciled within the SA conclusions. Furthermore, Exmo_20 was selected for inclusion in the Local Plan prior to the completion of the Appropriate Assessment, contrary to the People over Wind CJEU ruling, which requires that mitigation cannot be relied upon to screen out likely significant effects. The reliance on future mitigation strategies, in the absence of a complete and robust HRA (a Core Submission Document), undermines the legality of the allocation. The subsequent introduction of references to the Strategic Nature Area and draft Nature Recovery Network, following the First Regulation 19 consultation, further indicates that material biodiversity considerations have been added after site selection. In accordance with

paragraphs 180 and 181 of the NPPF (December 2023), this evidence highlights the site's role in establishing coherent ecological networks, including as supporting habitat for Section 41 species such as the ground-nesting Nightjar. The allocation of Exmo_20 should therefore be reassessed in light of this evidence, as its current justification is not legally compliant, unjustified and unsound.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove it

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: On page 390 of the Sustainability Appraisal, it is stated that sites on the north-eastern side of Exmouth, including Exmo_04 and Lypm_09, 10, 13, 14 and 17, lie especially close to the Pebblebed Heaths and that development of these sites could lead to some of the greater adverse impacts. The SA further states that a large part of Exmo_04 falls within the 400 metre exclusion zone on account of domestic cat predation and recreation impacts. This is incorrect. The 400 metre exclusion zone relates to urban effects, principally cat predation and urbanisation, not recreational impacts, which are assessed separately through access and visitor pressure mitigation. This demonstrates a misapplication of the Habitats Regulations framework by the LPA in its role as Competent Authority. On page 391, Exmo_20 is considered without similar reference to “greater adverse impacts”, despite being the largest site and directly adjacent to the Pebblebed Heaths SAC/SPA/SSSI. This represents an inconsistent and unbalanced assessment within the SA. The latest HRA identifies an “inherent conflict” between development at Exmo_20 and the integrity of the European site, yet this is not clearly reflected or reconciled within the SA conclusions. Furthermore, Exmo_20 was selected for inclusion in the Local Plan prior to the completion of the Appropriate Assessment, contrary to the People over Wind CJEU ruling, which requires that mitigation cannot be relied upon to screen out likely significant effects. The reliance on future mitigation strategies, in the absence of a complete and robust HRA (a Core Submission Document), undermines the legality of the allocation. The subsequent introduction of references to the Strategic Nature Area and draft Nature Recovery Network, following the First Regulation 19 consultation, further indicates that material biodiversity considerations have been added after site selection. In accordance with paragraphs

180 and 181 of the NPPF (December 2023), this evidence highlights the site's role in establishing coherent ecological networks, including as supporting habitat for Section 41 species such as the ground-nesting Nightjar. The allocation of Exmo_20 should therefore be reassessed in light of this evidence, as its current justification is not legally compliant, unjustified and unsound.

Full name: Frances Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Exmo_20 is incorrectly listed as a reasonable alternative on pages 386 and 387. The site was assessed in the HELAA as unsuitable and unachievable, not merely unachievable as stated. In addition, the site as submitted was not available, despite availability being one of the three HELAA tests, and this was not properly checked. The site therefore failed all three HELAA assessments. No evidence is provided demonstrating that site access, mineral constraints or proximity to the Pebblebed Heaths can be satisfactorily addressed. The proposed access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI rely on a viable mitigation strategy and supporting HRA, neither of which are provided within the Local Plan evidence base, despite the HRA being a Core Submission document. Furthermore, Exmo_20 was selected for inclusion in the Local Plan prior to the Appropriate Assessment being undertaken, which is contrary to the People over Wind ruling. The site's inclusion is therefore not legally compliant, unjustified and unsound.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is incorrectly listed as a reasonable alternative on pages 386 and 387. The site was assessed in the HELAA as unsuitable and unachievable, not merely unachievable as stated. In addition, the site as submitted was not available, despite availability being one of the three HELAA tests, and this was not properly checked. The site therefore failed all three HELAA assessments. No evidence is provided demonstrating that site

access, mineral constraints or proximity to the Pebblebed Heaths can be satisfactorily addressed. The proposed access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI rely on a viable mitigation strategy and supporting HRA, neither of which are provided within the Local Plan evidence base, despite the HRA being a Core Submission document. Furthermore, Exmo_20 was selected for inclusion in the Local Plan prior to the Appropriate Assessment being undertaken, which is contrary to the People over Wind ruling. The site's inclusion is therefore not legally compliant, unjustified and unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Frances Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 was assessed in the HELAA as unsuitable and/or unachievable and, in accordance with the Site Selection Methodology (May 2022), would have failed site sifting at that stage. On this basis, the site would be expected to be identified as a failed site (blue) on the plan figure at page 384. The Plan does not clearly explain why Exmo_20 has departed from this outcome, and its subsequent inclusion in the draft Local Plan is therefore not clearly justified and is unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Frances Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Sustainability Appraisal has undergone significant changes since the First Regulation 19 consultation and now reads as a materially different document, providing substantially different justification, particularly in relation to the inclusion of HELAA-failed sites such as Exmo_20. The revised appraisal appears to have been reworked in response to consultation feedback on earlier shortcomings, rather than forming part of the evidence base that informed the original site selection decisions. As a result, it is unclear how decisions taken prior can reasonably rely on a subsequently revised appraisal to alter conclusions from unsound to sound. Further reliance is now placed on the revised Site Selection Methodology (v2, December 2024), which appears to have been introduced retrospectively to support the allocation. Taken together, the inclusion of Exmo_20 in the draft Local Plan is not clearly justified and remains unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Sustainability Appraisal accompanying the Second Regulation 19 draft represents a significant change from the version consulted on at the First Regulation 19 stage. It now provides materially different reasoning, particularly in relation to the inclusion of HELAA-failed sites such as Exmo_20. The revised appraisal appears to have been substantially amended in response to consultation feedback, rather than forming part of the evidence that originally informed site selection. This creates uncertainty as to whether the allocation of Exmo_20 was evidence-led, or whether the appraisal has been revised to support a decision already made. The later reliance on the revised Site Selection Methodology (v2, December 2024) further reinforces concerns of post-hoc justification. As such, the allocation of Exmo_20 is not clearly justified and the Plan is therefore unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is unsound because it relies on future agreements, strategies and evidence that do not currently exist, meaning the Local Plan cannot demonstrate that the site is deliverable or effective. Development depends on a whole-site masterplan, multi-landowner agreement, cost-apportionment mechanisms, highway solutions, mineral safeguarding resolution and extensive mitigation, none of which are secured at plan stage. The cumulative cost and complexity of these requirements raise serious viability risks, increasing the likelihood that mitigation, infrastructure or affordable housing would be reduced through later negotiation. A sound Local Plan should resolve these conflicts through site selection, not defer them to planning applications. Parts of the site fall within a Mineral Safeguarding Area, creating an unresolved policy conflict. The allocation also performs poorly in climate terms, increasing car dependency, emissions and loss of existing carbon-storing habitats. Given the Plan's over-allocation of housing, the inclusion of such a constrained and high-risk site has not been justified against less problematic alternatives. Exmo_20 should therefore be removed or fundamentally reconsidered.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is not sound and is not legally compliant because it conflicts with paragraph 16(d) of the National Planning Policy Framework (December 2023). That paragraph requires plans to be clearly written, unambiguous, and based on robust and up-to-date evidence, so that it is evident how decision-makers should apply policies to development proposals. The Plan is based on an incorrect housing requirement, arising from the failure to use the most recent Office for National Statistics (ONS) data available at the time, as required by the MHCLG Housing and Economic Needs Assessment guidance. The annual housing need figure of 1,188 dwellings, quoted at paragraph 3.11 of the Plan, was calculated in February 2025, before the publication of the 2024 ONS household projections, and is therefore out of date and invalid. Applying the most recent ONS data reduces the annual housing need figure to 1,156 dwellings. When the Plan's own 80% delivery assumption is applied, this equates to 925 dwellings per year, resulting in a 22-year plan requirement of 20,342 dwellings (without rounding distortion). This represents a reduction of 567 dwellings compared to the figures used in the Plan. This over-allocation is material. Numerous Local Plan policies rely on an asserted overriding housing need to justify harm to heritage assets, protected landscapes, biodiversity and internationally designated sites. Where the underlying housing requirement is overstated, the justification for allocating highly constrained and mitigation-heavy sites — such as Exmo_20 — falls away. This is particularly significant given the site's reliance on multiple, complex and unproven mitigation strategies to address impacts on the Pebblebed Heaths SPA/SAC/SSSI. Further concerns arise from additional numerical and mathematical errors identified in evidence documents HOU-002 (October 2025) and HOU-001 (November 2025). These documents underpin the

Plan's housing strategy and spatial distribution. Until these errors are corrected and the evidence base reconsulted upon, the housing figures cannot be relied upon. Taken together, the reliance on outdated data, the presence of unresolved calculation errors, and the resulting lack of clarity about the true scale of housing need mean that the Plan does not meet the requirements of paragraph 16(d). The housing requirement is ambiguous, inadequately evidenced, and incapable of providing a clear basis for decision-making. In these circumstances, the continued allocation of Exmo_20 — a site with substantial and unresolved environmental constraints — cannot be justified and should be removed from the Plan unless and until the housing evidence base is corrected, updated, and subject to further consultation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is not sound because it conflicts with Paragraph 109 of the National Planning Policy Framework (December 2023), which requires development to be located and designed to make effective use of sustainable transport modes, and to ensure that opportunities to promote walking, cycling and public transport are fully taken up, having regard to the site's location and characteristics. Exmo_20 is poorly related to existing settlements. The main vehicular access point is approximately 2.3 miles by road from the centre of Budleigh Salterton and 4.0 miles by road from the centre of Exmouth. This distance, combined with the site's elevation and surrounding topography, significantly limits the realism of walking and cycling as everyday travel choices. These constraints are not evident from the Local Plan policy maps and have not been adequately addressed in the supporting evidence. As a result, the allocation would be heavily reliant on private car travel for access to shops, services, education, healthcare and employment. This directly conflicts with Policy TR01, which requires walking and cycling to be the primary modes of transport, and with paragraph 11.6 of the Local Plan, which seeks to locate development where sustainable travel choices are genuinely available. In addition, the proximity of Exmo_20 to Budleigh Salterton, a lower-tier settlement, has not been properly considered. A development of this scale risks placing disproportionate pressure on Budleigh Salterton's services and infrastructure, undermining the settlement hierarchy and directing growth towards a town that is not identified as a focus for such expansion. Taken together, the distance from services, topographical constraints, reliance on car travel and failure to properly consider impacts on neighbouring settlements mean that Exmo_20 does not represent a sustainable location for development. The allocation is therefore unsound, as it is not

justified, not consistent with national policy, and conflicts with the Local Plan's transport and spatial strategy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is not sound because it promotes development in a location that would be inherently car-dependent, contrary to the requirements of the National Planning Policy Framework (December 2023) and the Local Plan's transport strategy. Paragraphs 92 and 109 of the NPPF require development to be located and designed so as to reduce the need to travel, support healthy lifestyles, and enable access to services by walking, cycling and public transport. Paragraph 109 in particular requires that opportunities to promote sustainable transport modes are taken up, depending on the nature and location of the site. Exmo_20 fails this test. The site is physically separated from Exmouth and Budleigh Salterton, with primary access proposed from the B3179, resulting in a long and indirect route to reach everyday services such as shops, schools, healthcare and employment. It has not been demonstrated that a sufficient range of regularly needed local services can be accessed by walking or cycling from the site in a safe, direct and realistic manner. This failure is compounded by recent changes to Local Plan Policy TR01, which now require walking and cycling to be the first and mandatory mode of travel, rather than merely an aspiration. The Exmo_20 allocation directly conflicts with this requirement, as its isolated location and access arrangements would necessitate frequent car use for routine daily activities. The internal layout of the site further reinforces car dependency. Housing is proposed at the southern part of the allocation, while the main access point is located on the B3179 to the north, meaning residents would be required to drive approximately one kilometre within the site before even reaching the public highway for every outbound and return journey. This is incompatible with the concept of sustainable, walkable neighbourhoods. As a result, the Exmo_20 allocation would generate significant and

unavoidable vehicle movements, increasing traffic, carbon emissions and air pollution, and undermining the Plan's stated objectives for sustainable transport and healthy communities. The allocation is therefore in direct conflict with Policies TR01 and TR03, paragraphs 3.6 and 11.2 of the Local Plan, and the NPPF's requirement for development to be genuinely sustainable in both location and design. Accordingly, the Exmo_20 allocation is unsound, as it is not justified by its location, is not consistent with national policy, and would undermine the Plan's own transport strategy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmouth has a well-documented history of flooding, including serious events in 1960, 1983 and 2012, and is already recognised as having multiple and significant flood-risk pathways. Withycombe Brook, which flows through some of the most densely populated parts of the town, already experiences flood risk even before the effects of climate change are fully taken into account. The Exmo_20 site sits above Exmouth on greenfield land, with surface water and tributaries draining directly into Withycombe Brook. Large-scale development here would increase runoff and could worsen flood risk downstream, putting existing homes and communities at greater risk. Despite this, the Local Plan does not demonstrate that a sequential, risk-based approach has been properly applied to avoid development in locations that could increase flooding. In the absence of clear evidence that flood risk can be safely managed now and in the future, the Exmo_20 allocation is unsound and should be reconsidered.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 site forms part of a Strategic Nature Area that acts as an essential buffer between Exmouth and the Pebblebed Heaths, as well as a wildlife corridor linking the Heaths to the coast. It supports important habitats, veteran trees, ancient woodland and hedgerows, and provides key foraging habitat for the European Nightjar, a protected species and a main reason for the Heaths' international designation. Developing this site would undermine the conservation objectives of the Pebblebed Heaths SPA/SAC/SSSI by fragmenting habitats and weakening this buffer. Devon County Council is currently progressing plans to designate the area as part of a Local Nature Recovery Area, reflecting its importance for nature recovery under the Environment Act. Devon Wildlife Trust has stated that development of Exmo_20 is inappropriate and that it is unlikely the site could be developed without causing significant harm to the integrity of the protected heathlands. Given the site's recognised role in nature recovery and the availability of less sensitive alternatives, the Exmo_20 allocation is unsound and should be removed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 would surround St John in the Wilderness Church, a Grade II* listed building of the highest significance, and would cause serious and irreversible harm to its setting. The church and churchyard sit within a rare, tranquil and dark-sky landscape that reflects its historic “wilderness” character. A large housing development encircling this site would fundamentally change that setting, regardless of any buffer left around the church. Historic England has raised strong concerns, noting that much of Exmo_20 lies within the church’s setting and that development could cause considerable harm. They also warn that the proposed access road from the B3179 would further damage the setting and increase future development pressure. Historic England advises that development should instead be limited to less sensitive areas, with the site boundary reduced or the scale of development significantly restricted. Given the importance of this heritage asset and the clear risk of harm, the Exmo_20 allocation is unsound and should be removed or substantially reduced.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

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5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation has no clear or viable access strategy. The Plan proposes that most traffic would access the site via the B3179, but making this work would require major highway alterations that are uncertain, uncosted and not confirmed by Devon County Council. Traffic from Exmo_20 would also run directly alongside the Pebblebed Heaths SAC/SPA, increasing congestion and air pollution. The Council's own Habitats Regulations Assessment states that there is insufficient certainty to rule out adverse effects on the integrity of the Pebblebed Heaths due to air quality impacts linked to traffic on the B3179. Despite this, Exmo_20 remains allocated, which is contrary to the precautionary principle and the legal requirement to prioritise avoidance over mitigation. The mitigation strategy itself confirms that mitigation cannot be assumed without evidence. Until it can be demonstrated with scientific certainty that access and traffic impacts can be resolved without harm to the Pebblebed Heaths, the Exmo_20 allocation is unsound and should be removed or reconsidered.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 site lies immediately next to the Pebblebed Heaths SAC/SPA/SSSI, making it highly unlikely that SANGs or on-site open space could successfully prevent increased recreational use of the Heaths by new residents. Activities such as dog walking, cycling and walking are therefore likely to increase, causing harm to protected habitats and species. The European Nightjar, a ground-nesting bird and key reason for the SPA designation, is particularly vulnerable: evidence shows that even a single disturbance or predation event can cause nesting failure. The risk of cat predation and disturbance increases the closer housing is built to the Heaths, and there is no practical way to prevent people or domestic cats from accessing the protected area. The RSPB has stated that mitigation for sites closest to the Heaths, particularly Exmo_20, is unlikely to be effective and that there is a significant risk that SANGs will not prevent damaging recreational pressure or other indirect impacts. In the absence of a proven and deliverable mitigation strategy, planning law requires a precautionary approach. Until it can be clearly demonstrated that harm to the Pebblebed Heaths can be avoided, the Exmo_20 allocation should be removed or substantially reduced.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 site sits immediately next to the Pebblebed Heaths, one of the most environmentally sensitive and highly protected areas in East Devon. Development here would place significant pressure on habitats and species that the planning system is legally required to protect. A 400-metre buffer has been proposed as mitigation, but strong evidence shows this is not enough. Domestic cats can roam far beyond 400 metres, particularly in semi-rural areas, and the European Nightjar, a ground-nesting bird that is a key reason for the Heaths' protected status, is extremely vulnerable to disturbance and predation. Research shows that even a single disturbance or predation event can cause nesting failure. For this reason, a much wider buffer is needed, alongside strict controls on lighting, access and recreation. At present, the Exmo_20 allocation depends on a mitigation strategy and habitat assessment that have not yet been shown to work. Current assessments openly acknowledge unresolved risks. In these circumstances, planning law requires a precautionary approach, yet the site has still been included in the Plan. Environmental organisations share these concerns. Devon Wildlife Trust has highlighted the site's important role as a buffer between Exmouth and protected land, while the East Devon National Landscape Partnership has stated that a 400m buffer is inadequate and has supported either removing the site or significantly reducing its scale and moving development closer to the existing town. Natural England has also advised that development should be pulled further away from the Heaths and that a substantial green buffer should be secured to protect the designated sites. Given the availability of alternative sites with fewer environmental constraints, and the fact that the Plan already allocates more housing than is required,

there is no clear justification for pursuing a development here that carries such high and unresolved ecological risk.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI, the Exmo_20 allocation relies on significant habitat and species mitigation that has not been demonstrated as achievable or viable. The mitigation strategy itself states that “it was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA”, while the Plan HRA confirms that “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” Despite this, the site was selected on 03.09.24 (with no option for reconsideration) and the Regulation 19 draft Local Plan approved on 11.12.24 on the assumption that a mitigation strategy would subsequently be developed, prior to the Appropriate Assessment undertaken in the 30.01.25 HRA. This approach is contrary to the CJEU People Over Wind ruling and the required precautionary principle, particularly in light of the CJEU Dutch N judgment. Furthermore, where sites with known mitigation requirements are selected, the Mitigation Hierarchy in NPPF paragraph 32 requires clear justification. This stage has not been undertaken. The Exmo_20 allocation is therefore difficult to justify, given the availability of alternative, less mitigation-dependent sites and the Plan’s housing over-allocation arising from the failure to apply the latest mandatory ONS data. Devon Wildlife Trust, in its first Regulation 19 response, stated that “the allocation site currently serves an important function as a buffer between the urban area of Exmouth and the highly designated land to the north,” and that development would result in the degradation and loss of ecologically supportive environments beyond designated boundaries. Accordingly, the Local Planning Authority has failed to demonstrate compliance with its duties as Competent Authority under the Conservation of Habitats and Species Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan or deliver a mitigation strategy

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because the allocation lies adjacent to land supporting glow-worm populations, a light-sensitive species highly vulnerable to artificial night-time lighting and increased disturbance. While the policy acknowledges the need to protect tranquillity and to avoid street lighting in certain locations, it does not identify glow-worms or address the specific risks posed by development-related lighting, vehicle movements, illuminated paths or residential security lighting associated with around 700 new homes. The Plan relies on later assessments rather than demonstrating at plan stage that impacts on this sensitive species can be avoided, which is inconsistent with national biodiversity policy and undermines the effectiveness of the allocation

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because it relies heavily on imprecise and subjective wording to manage significant impacts arising from a very large allocation. Key safeguards are not defined or measurable, including the extent of the “extensive area” around St John in the Wilderness church, what constitutes “modest levels” of development for secondary access, and how far the housing number may vary from “around 700 homes”. This ambiguity reduces certainty, weakens enforceability, and increases the risk that constraints are eroded through later negotiation, meaning the policy is not effective

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because the allocation depends on the delivery of a wide range of essential infrastructure and mitigation measures that are not defined with sufficient certainty at plan stage. While the policy allocates “social and community facilities”, around 700 homes and at least 2ha of employment land, it defers key matters to a future masterplan, access strategy, cost-apportionment mechanisms across multiple land parcels, future highway mitigation, and complex ecological mitigation including SANGs and buffering/fencing arrangements. The Plan does not demonstrate that these requirements can be viably funded, phased and delivered together, creating a high risk of delay or dilution of requirements and undermining the effectiveness and justification of the allocation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan or provide more detail

Full name: Mark Nicholls

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5. Development in the Towns and Villages

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because it is located in a highly sensitive ecological context and relies on a complex package of mitigation measures (including a 400m constraint related to the Pebblebed Heaths, buffers for nightjar foraging, restrictions on parking near the SAC/SPA, and delivery of developer-provided SANGs with buffering/fencing and restricted onward access). The Plan does not map or quantify the effect of these constraints on developable area or demonstrate at plan stage that the required mitigation is deliverable, enforceable and effective for a development of around 700 homes plus employment and community uses. This introduces substantial uncertainty and undermines consistency with national policy requiring avoidance of harm to protected sites

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because it allocates a major mixed-use urban extension in a location closely related to the East Devon National Landscape without robust plan-stage evidence that adverse effects on the National Landscape and its setting can be avoided. The policy relies on vague future measures such as “sensitive design”, screening, and avoiding street lighting, but does not demonstrate how the scale of development and access requirements can be reconciled with landscape protection, nor does it specify how “enhancement of natural beauty” will be delivered in a clear and enforceable way. This is not justified and is not consistent with national policy protections for designated landscapes.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because the transport and access strategy for a development of around 700 homes, employment land and community uses is insufficiently defined or evidenced. The policy relies on future assessments to resolve access onto the B3179, despite the sensitivity of this route adjacent to the East Devon National Landscape and the need to balance highway safety with landscape protection. The Plan does not demonstrate that the scale of traffic generated can be safely and sustainably accommodated, nor that reliance on sustainable travel is realistic at this location, undermining both the justification and effectiveness of the allocation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Rethink the access to the site

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because significant parts of the site lie within a Mineral Safeguarding Area for sand and gravel, where development is restricted unless mineral resources are proven unviable or extracted in advance. The Plan allocates a very large mixed-use development without demonstrating that these mineral constraints can be resolved in practice or without undermining delivery, heritage protection, landscape quality or tranquillity. This creates an unresolved conflict between housing allocation and mineral safeguarding policy, introduces substantial uncertainty, and undermines both the justification and effectiveness of the allocation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is not sound because it identifies St John in the Wilderness church as a highly sensitive heritage asset requiring protection of its setting and tranquillity, yet still allocates around 700 new homes, employment land and community uses without demonstrating that this scale of development can be delivered without harm. The policy relies on future heritage assessments and an undefined “extensive area” where built development will not be allowed, rather than evidencing at plan stage that the proposed quantum is compatible with heritage protection. This approach defers fundamental conflicts to later stages, creates uncertainty, and is not justified or consistent with national heritage policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mark Nicholls

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 is not sound because the allocation of “around 700 new homes”, alongside at least 2ha employment land and community uses, is not transparently justified against the policy’s own stated constraints. The Plan requires built development to be concentrated in the southern part of the site and requires an “extensive” no-build area around St John in the Wilderness church to protect its setting and tranquillity, but does not quantify these constraints or demonstrate that the residual developable area can accommodate the stated scale. This indicates a numbers-led allocation rather than a constraints-led capacity and introduces a high risk of overdevelopment pressure or non-delivery, meaning the policy is not justified and is not effective.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Gabriel Nother

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am submitting an objection to the proposed Exmo 20 Site. It is disappointing that I have to do this again after last year's submissions which I believe were in excess of 1,200 objections.

It is difficult to understand how this site could be considered when there are so many negative points relating to this area being developed such as :

- Increased flood risks from the development. There are already issues in this area and building works and new infrastructure will severely aggravate flood waters. The risks and damage will be even more exaggerated as our climate changes (extremely heavy & consistent downpours). The area will not cope.
- Wildlife and habitat destruction: The 'safety' boundary mentioned in the plan will not prevent permanent damage to the pebblebeds and surrounding woodlands. These will be destroyed forever with the loss of a beautiful English environment and it's wildlife.
- Transport routes and road traffic : The local road infrastructure is not appropriate to deal with significant increases in traffic. The roads are already falling apart as it is and we know that national & local government have not got the funding to even resolve the current issues. This will lead to a serious deterioration in quality of life and mental

health. *** This could also lead to an increase in loss of life with additional traffic on these local routes. They are not safe !

- Pollution : Increased traffic will obviously lead to higher levels of pollution which further deteriorates peoples' health and the environment.
- St John in the Wilderness : The proposed development will severely impinge on this beautiful historic church and site. It was sited here as a place of peace for worship and contemplation. This will destroy the special fabric of this holy area.
- Tourism : People from all over the UK visit Devon to enjoy the special and beautiful environment here. Supersized developments such as Exmo 20 will damage the landscapes and environment altering it forever into another suburban sprawl.
- Development size: We all appreciate the requirement for additional housing but this should be shared between areas. 700 + houses are far too many in this site for all the reasons mentioned above and more. There needs to be more controlled allocations to achieve the overall housing targets.

Lastly, and I know it is not normally used as an objection point but this development will clearly erode the fabric of East Devon's rural heritage and can never be replaced once development starts.

I sincerely hope that mine and others' objections will be seriously considered and debated.

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1(c). If the comment is related to a site, please state the site reference here.:
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- Wildlife and habitat destruction: The 'safety' boundary mentioned in the plan will not prevent permanent damage to the pebblebeds and surrounding woodlands. These will be destroyed forever with the loss of a beautiful English environment and it's wildlife.
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- Development size: We all appreciate the requirement for additional housing but this should be shared between areas. 700 + houses are far too many in this site for all the reasons mentioned above and more. There needs to be more controlled allocations to achieve the overall housing targets.

Lastly, and I know it is not normally used as an objection point but this development will clearly erode the fabric of East Devon's rural heritage and can never be replaced once development starts.

I sincerely hope that mine and others' objections will be seriously considered and debated.

Full name: Kayleigh Ojaim

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

ALLOCATION OF Exmo_20 is in conflict with policy TR03 in the Local Plan. The proposed location on Exmo_20 and it's distance from amenities means that there are no viable options to create sustainable travel alternatives to using cars. Research findings around the distances from the site to local services show that using cars will be by far the preferred choice of transportation for residents which directly contradicts Policy TR03. Due to Exmo_20's restricted access arrangements, the development would generate significant amounts of vehicle movements just to access services within Exmouth and the neighbouring settlements using the B3179. Due to the site's steep topography and remote location from services, any walking or cycling routes will provide limited viable alternative options to using a car. The local plan notes that congestion is a particular issue in Western East Devon, and with this site having no direct access to Dinan Way and the A376, the significant amounts of vehicle movements from this site will be on rural B roads, locally notorious for being congested and substandard.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kayleigh Ojaim

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

ALLOCATION OF Exmo_20 is in conflict with the LPA assertion that Exmouth has the necessary infrastructure in place. Despite being a tier 1 settlement Exmouth does not have sufficient infrastructure and services for the existing population. With the increased population resulting from Exmo_20 there will be excessive strain on an already bowing services. Even if the proposed development brings financial contributions towards infrastructure etc it will not add another Doctors surgery or dentist – the current provisions of which are already insufficient for the existing population of Exmouth. GPs in Exmouth are already facing wait times of 3+ weeks to acquire an appointment. Similarly Exmouth does not have enough Police resource to cover the current requirements of the town without extending the size dramatically. The proposed development on Exmo_20 does not include provision for another primary or secondary school - within the last 3 years numerous Exmouth children have had to travel 30-40 mins to attend school in Cranbrook due to there being no capacity at Exmouth Community College. The original plans for the nearby Goodmores development included a primary school which has yet to even begin development, further increasing strain on local schools. The existing sewerage system in Exmouth is so inadequate that sewage is discharged into the sea on a very regular basis and the beach is often closed for swimming. Exmouth's problem with sewerage has been featured on national news several times, highlighting the scale of the problem it has. Other developments have added significantly to the sewerage problem in recent years. The Goodmores Development (off Dinan Way in Exmouth) is not anywhere near finished so the impact that will have on the town, in the short and long term, is unknown. However, increased flooding and sewerage issues have increased since the build went

ahead. Maintaining access to essential amenities and services is crucial for the well-being and quality of life of existing residents.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kayleigh Ojaim

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan or at least reduce the number of houses in line with the corrected figures.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kayleigh Ojaim

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 states that “vehicular access, to accommodate modest levels of development, will be allowed for southern site parts from the road ‘Southern Wood’.” No information is given as to what exactly forms the ‘southern site parts’, how many houses this comprises, nor the measures that will prevent the entire site using an access point via Southern Wood. It should therefore be assumed that any entrance to the site via Southern Wood would be available to the entire site of 700 homes. The Government Centre for Social Research published a study in June 2024 on Car Ownership that stated amongst its key findings under 1.1.1. that “the proportion of households with one car has remained at around 45% and the proportion with two or more vehicles has increased from 8% to 34%.” So it is safe to assume that with 700 homes there will be around 1000 vehicles on the proposed site of Exmo_20. It is also worth noting that the average cars per household in Southern Wood currently is more than 2 cars per household which supports the likely quantity of cars in Exmo_20. While Southern Wood is a quiet cul de sac, the road connecting it to the nearest main route is Meadow View Road which is constantly full of parked cars and at numerous points it is only passable for one vehicle at a time. Vehicles have to regularly stop and give way, sometimes reversing to create space, and cars will regularly be stuck on Dinan Way, unable to even turn in to Meadow View Road. It’s also worth noting that Meadow View Road on which had regular scheduled bus services cancelled due to lack of accessibility. It is ludicrous to think that 1000 vehicles taking an average of 2 trips per day, would not make the situation considerably worse than it already is. Any properly conducted assessment that took place around school pick up times and rush hours would see how unfeasible Southern Wood is as an access point. Furthermore, any access via Southern Wood would

necessitate a bridge being built over Withycombe brook at the end of Southern Wood. We have not seen the plans for a potential bridge at the bottom of the road yet and so do not know the infrastructure behind it but given the positioning of the brook it would need to be substantial and inevitably seriously negatively impact Southern Wood and its residents as well and the woodland habitat surrounding the bridge. Once the bridge is in place the precious parking spaces at the bottom of Southern Wood will be removed forcing more cars to park on the road, adding to the parking and road accessibility issues already faced by existing residents. When access off the Salterton Road or through the ready built Liverton Business Park via B3178, or the B3179 is easier, more practical and most importantly safer.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kayleigh Ojaim

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel as it has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. It is clear to anyone who knows this area that walking or cycling will not be the first choice of transport from the proposed site of Exmo_20 for people to do their shopping/ work/ school run etc because the distance is too great and the LPA have failed to prove otherwise. Studies cited in the Local Plan show that most people prefer to walk if their destination is within 0.5 miles, that beyond the distance of 1 mile cars are the dominant mode of travel and that beyond 2 miles trips on foot are few. Exmo_20 is significantly further than 0.5 miles or even 1 mile from essential infrastructure and services therefore walking or cycling as first choice of transport is unviable. Providing walking routes, cycle paths or public transport will do little to reduce the amount of car journeys this development would generate because the steep local topography and distance to access essential infrastructure and services is too far. It will also be a difficult location for those without car access and cause social exclusion. It is also worth noting that the existing infrastructure of the surrounding roads is not capable of accommodating the increased demand that Exmo_20 would cause. Access for buses, which would have an increased demand, would also be very difficult. A bus service through Meadow View Road (next to the proposed site) was cancelled several years ago

for this very reason proving this is not a sustainable option. From a safety concern Emergency Vehicles such as Fire Engines and Ambulances would without doubt have access issues.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Turning the natural drainage the site current provides through trees and grassland into a concrete jungle invites a huge flood risk, particularly to all of the existing houses and businesses bordering Withycombe Brook. The proposed site of Exmo_20 sits upstream of Exmouth on the main rainwater catchment area of Withycombe Brook. The subsoil is heavy clay, the impermeable nature of which makes soakaways ineffective and the land is often waterlogged. Building on this steep site would significantly exacerbate the already identified flood risk through the lower lying land at the bottom of the site and down through Withycombe. In addition there will be the potential pollution added to flood waters from construction activities. A site entrance via Southern Wood has been included in the plan for Exmo_20 that would require a large bridge to be built over Withycombe Brook that runs along the end of Southern Wood (it would NOT be possible to access the site from Southern Wood without a bridge being built). Withycombe Brook regularly floods and there has been land erosion as a result of flooding to the area at the bottom of Southern Wood where the bridge would need to be built and surrounding homes. The bridge itself could also cause a build up of debris causing further flooding. A nearby development, Goodmores,

is still under construction and we are already seeing swathes of mud and flood water covering areas of the main access road that is Dinan Way. Water run off from Exmo_20 would inevitably compound this issue due to the location of the proposed site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm." A development the size of Exmo_20 surrounding St. John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote and tranquil surroundings of the church and churchyard, drastically altering the peaceful setting for worship which currently exists for the congregation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Proposal:

5. Development in the Towns and Villages

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kayleigh Ojaim

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA has completely disregarded their duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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ALLOCATION OF Exmo_20 is in conflict with policy TR03 in the Local Plan. The proposed location on Exmo_20 and it's distance from amenities means that there are no viable options to create sustainable travel alternatives to using cars. Research findings around the distances from the site to local services show that using cars will be by far the preferred choice of transportation for residents which directly contradicts Policy TR03. Due to Exmo_20's restricted access arrangements, the development would generate significant amounts of vehicle movements just to access services within Exmouth and the neighbouring settlements using the B3179. Due to the site's steep topography and remote location from services, any walking or cycling routes will provide limited viable alternative options to using a car. The local plan notes that congestion is a particular issue in Western East Devon, and with this site having no direct access to Dinan Way and the A376, the significant amounts of vehicle movements from this site will be on rural B roads, locally notorious for being congested and substandard.

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ALLOCATION OF Exmo_20 is in conflict with the LPA assertion that Exmouth has the necessary infrastructure in place. Despite being a tier 1 settlement Exmouth does not have sufficient infrastructure and services for the existing population. With the increased population resulting from Exmo_20 there will be excessive strain on an already bowing services. Even if the proposed development brings financial contributions towards infrastructure etc it will not add another Doctors surgery or dentist – the current provisions of which are already insufficient for the existing population of Exmouth. GPs in Exmouth are already facing wait times of 3+ weeks to acquire an appointment. Similarly Exmouth does not have enough Police resource to cover the current requirements of the town without extending the size dramatically. The proposed development on Exmo_20 does not include provision for another primary or secondary school - within the last 3 years numerous Exmouth children have had to travel 30-40 mins to attend school in Cranbrook due to there being no capacity at Exmouth Community College. The original plans for the nearby Goodmores development included a primary school which has yet to even begin development, further increasing strain on local schools. The existing sewerage system in Exmouth is so inadequate that sewage is discharged into the sea on a very regular basis and the beach is often closed for swimming. Exmouth's problem with sewerage has been featured on national news several times, highlighting the scale of the problem it has. Other developments have added significantly to the sewerage problem in recent years. The Goodmores Development (off Dinan Way in Exmouth) is not anywhere near finished so the impact that will have on the town, in the short and long term, is unknown. However, increased flooding and sewerage issues have increased since the build went

ahead. Maintaining access to essential amenities and services is crucial for the well-being and quality of life of existing residents.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julia Ojaim

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan or at least reduce the size drastically described in 3(b).

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julia Ojaim

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA(6) Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Julia Ojaim

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 states that “vehicular access, to accommodate modest levels of development, will be allowed for southern site parts from the road ‘Southern Wood’.” No information is given as to what exactly forms the ‘southern site parts’, how many houses this comprises, nor the measures that will prevent the entire site using an access point via Southern Wood. It should therefore be assumed that any entrance to the site via Southern Wood would be available to the entire site of 700 homes. The Government Centre for Social Research published a study in June 2024 on Car Ownership that stated amongst its key findings under 1.1.1. that “the proportion of households with one car has remained at around 45% and the proportion with two or more vehicles has increased from 8% to 34%.” So it is safe to assume that with 700 homes there will be around 1000 vehicles on the proposed site of Exmo_20. It is also worth noting that the average cars per household in Southern Wood currently is more than 2 cars per household which supports the likely quantity of cars in Exmo_20. While Southern Wood is a quiet cul de sac, the road connecting it to the nearest main route is Meadow View Road which is constantly full of parked cars and at numerous points it is only passable for one vehicle at a time. Vehicles have to regularly stop and give way, sometimes reversing to create space, and cars will regularly be stuck on Dinan Way, unable to even turn in to Meadow View Road. It’s also worth noting that Meadow View Road on which had regular scheduled bus services cancelled due to lack of accessibility. It is ludicrous to think that 1000 vehicles taking an average of 2 trips per day, would not make the situation considerably worse than it already is. Any properly conducted assessment that took place around school pick up times and rush hours would see how unfeasible Southern Wood is as an access point. Furthermore, any access via Southern Wood would

necessitate a bridge being built over Withycombe brook at the end of Southern Wood. We have not seen the plans for a potential bridge at the bottom of the road yet and so do not know the infrastructure behind it but given the positioning of the brook it would need to be substantial and inevitably seriously negatively impact Southern Wood and its residents as well and the woodland habitat surrounding the bridge. Once the bridge is in place the precious parking spaces at the bottom of Southern Wood will be removed forcing more cars to park on the road, adding to the parking and road accessibility issues already faced by existing residents. When access off the Salterton Road or through the ready built Liverton Business Park via B3178, or the B3179 is easier, more practical and most importantly safer.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the Exmo_20 site via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julia Ojaim

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel as it has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. It is clear to anyone who knows this area that walking or cycling will not be the first choice of transport from the proposed site of Exmo_20 for people to do their shopping/ work/ school run etc because the distance is too great and the LPA have failed to prove otherwise. Studies cited in the Local Plan show that most people prefer to walk if their destination is within 0.5 miles, that beyond the distance of 1 mile cars are the dominant mode of travel and that beyond 2 miles trips on foot are few. Exmo_20 is significantly further than 0.5 miles or even 1 mile from essential infrastructure and services therefore walking or cycling as first choice of transport is unviable. Providing walking routes, cycle paths or public transport will do little to reduce the amount of car journeys this development would generate because the steep local topography and distance to access essential infrastructure and services is too far. It will also be a difficult location for those without car access and cause social exclusion. It is also worth noting that the existing infrastructure of the surrounding roads is not capable of accommodating the increased demand that Exmo_20 would cause. Access for buses, which would have an increased demand, would also be very difficult. A bus service through Meadow View Road (next to the proposed site) was cancelled several years ago

for this very reason proving this is not a sustainable option. From a safety concern Emergency Vehicles such as Fire Engines and Ambulances would without doubt have access issues.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site of Exmo_20 via Southern Wood. Also reduce the size of the site drastically so that the additional traffic in surrounding areas is manageable

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julia Ojaim

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Turning the natural drainage the site current provides through trees and grassland into a concrete jungle invites a huge flood risk, particularly to all of the existing houses and businesses bordering Withycombe Brook. The proposed site of Exmo_20 sits upstream of Exmouth on the main rainwater catchment area of Withycombe Brook. The subsoil is heavy clay, the impermeable nature of which makes soakaways ineffective and the land is often waterlogged. Building on this steep site would significantly exacerbate the already identified flood risk through the lower lying land at the bottom of the site and down through Withycombe. In addition there will be the potential pollution added to flood waters from construction activities. A site entrance via Southern Wood has been included in the plan for Exmo_20 that would require a large bridge to be built over Withycombe Brook that runs along the end of Southern Wood (it would NOT be possible to access the site from Southern Wood without a bridge being built). Withycombe Brook regularly floods and there has been land erosion as a result of flooding to the area at the bottom of Southern Wood where the bridge would need to be built and surrounding homes. The bridge itself could also cause a build up of debris causing further flooding. A nearby development, Goodmores,

is still under construction and we are already seeing swathes of mud and flood water covering areas of the main access road that is Dinan Way. Water run off from Exmo_20 would inevitably compound this issue due to the location of the proposed site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, or at the very least reduce the size of Exmo_20 and ensure that it is not accessed through Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm." A development the size of Exmo_20 surrounding St. John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote and tranquil surroundings of the church and churchyard, drastically altering the peaceful setting for worship which currently exists for the congregation. This is taken from a quotation from the Gospel of St John: 'I am the voice of one calling in the wilderness, make straight the way of the Lord.' – St John will now be calling god from a housing development of 700 homes instead of the current wilderness surrounding this Grade II* listed 14th century church.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julia Ojaim

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Julia Ojaim

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA has completely disregarded their duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: STOP EXMO_20

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Stop exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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Full name: Anna Oldroyd

Proposal:

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Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Stop exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

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make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: STOP EXMO_20

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Full name: Anna Oldroyd

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Stop Exmo_20

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Stop exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Green space is precious. Once lost, it can never return. Exmo_20 is one of those developments where, in 20 years time, people will say: "Who on earth let this happen". Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Anna Oldroyd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There's a multitude of reasons why this proposed development is a ridiculous idea: It is too close to our precious pebblebed heaths. Exmouth and Budleigh have struggling sewage disposal facilities already. ECC is massive already and in some years has to bus pupils who live within catchment to Cranbrook. The roads are already ridiculously busy. A development will just add to this and increase accidents. The Ting Tong bend is particularly notorious. Why is a development necessary with a declining birth rate? Is this really the best place to put a development? Rockbeare has already been ruined by the advent of Cranbrook with The Jack in The Green now surrounded by houses. it should be re-named Jack in the Housing Estate. St John's in the Wilderness would need to be re-named if the absolute destruction of Exmouth's green belt is allowed to go ahead. Once it's gone, it's gone. Building should be on previously developed sites and we should be looking at existing unoccupied buildings.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Scrap the idea of carving up the green belt. Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Judith Oliver

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Para109 of the NPPF December 2023 and therefore unsound. It also conflicts with Para 11.6 of the Local Plan and Policy TR01. The main vehicular access point for Exmo_20 is just over 2 miles from the centre of Budleigh Salterton by road and 4 miles from the centre of Exmouth. The site allocation would overwhelm Budleigh and conflict with the settlement hierarchy. The topography of the local area and the siting of this project makes the potential cycling and walking options much less viable, which is not apparent on the policy maps. There will therefore be a huge increase in the volume of cars in the area

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exm_20 from the Local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Judith Oliver

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: The proposed

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The size and location of this proposed development is ludicrous; the access road B3179 is already busy with traffic to and from Budleigh, Exmouth and Exeter and this increases considerably during holiday seasons. The peace and tranquility of yhis area, adjacent to the Pebblebed Heaths and Bystock, will be ruined forever plus all the pollution from the building and extra vehicles will disrupt and destroy wildlife.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20 and remove it from our Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ivan Parker

Other party name (if relevant): Richard Parker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with par. 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D) of the Local Plan. A development the size of Exmo_20 surrounding St. John in the Wilderness Church (Grade 2* listed) will have significant adverse affects on the remote, tranquil surroundings of the Church and Churchyard. The area around the Church and surrounding buildings, a medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a wilderness setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. Historic England state in their response to the Regulation 19 consultation that "Exmo_20 currently covers a very large area to the East and Northeast of Exmouth. Much of this falls within the setting of the grade 2* listed Church of St. John in the Wilderness and its Churchyard. Development could result in considerable harm to the setting of this building which the NPPF identifies as an asset of the highest significance (Paragraph 206b).....we are concerned by the proposal to bring a long access road from the B3179 to the North. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the South of the site should be explored.....Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the South then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" Allocation of Exmo_20 is in conflict with Para 165 of the NPPF December 2023. It also conflicts with Para 3.6, policy AR01(b) of the Local Plan and

therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook is only mentioned as a footnote in Table 5-3; Watercourses in East Devon District.

Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 and 2012 recorded. Withcombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the tow, having tributaries and run-off directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chrissie Parrott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chrissie Parrott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove Exmo_20 from the local plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chrissie Parrott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO 20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chrissie Parrott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO 20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Chrissie Parrott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access exmo 20 from the B3179 and do not access the site via Southern Wood. Reduce the size of this development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Tim Parrott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Because as a resident of this area I am very concerned & would like to be present.

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1 st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: pamela parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Steve and Terri Passenger

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to register my objection to EXMO_20 to East Devon District Council (EDDC).

The impact locally, and particularly to Budleigh Salterton, would be catastrophic and irreversible. Key points are:

- The extra traffic during and after the build would be a nightmare
- Our medical surgery, fire service, ambulance service and primary school are struggling to cater for with the existing population with no contingency / capacity for any increase

The impact on wildlife on this special and beautiful greenfield site would be appalling and again irreversible. Surely focus and developers' primary energy should be on brownfield sites.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: I am horrified that EDDC have not already dismissed this proposal. I am therefore objecting strongly to EXMO_20 for environmental and conservation reasons.

Full name: Ali Pawson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear EDDC,

I'm objecting to the housing development proposal for the local plan site Exmo-20 on several grounds:

As a keen birdwatcher and nature lover, I'm very concerned about damage to the Special Site of Scientific Interest (heathland in Exmo_20) and loss of habitat for wildlife including hedgerows and ancient trees. There will be a loss of feeding ground for birds and other wildlife linked to our protected coastline. As you know we are one of the world's most nature depleted countries already. Housing developers will often make promises to plant more trees and hedgerows, but these are invariably not looked after properly and don't thrive, as is the case with thousands of trees planted along the A14 in East Anglia, which have mostly died. But the developers were allowed to tick a box and not follow through with aftercare. Also saplings can't replace ancient or mature trees and hedgerows, it takes years for them to establish.

We will lose good agricultural land, leading to increased food miles because we will have to import more food instead of growing it in the UK, there will also be an increased risk of flooding caused by run-off because of concreting over fields. We are already experiencing increased flooding due to winter storms, and this will be exacerbated.

The narrow roads will experience more traffic jams with increased cars in the area, all leading to a gigantic bottleneck on A376 road to Exeter from Exmouth; there is insufficient infrastructure (and there will be more and more potholes because of increased traffic including HGVs going to industrial sites).

Our already insufficient sewerage systems won't be able to cope with more sewerage from houses, this will lead to polluted beaches which damages our tourism reputation in Exmouth. I'm a keen sea swimmer and many of the group I swim with feel very frustrated at how limited we are with the times we can now swim, due to the amount of sewage being dumped in the sea.

Please consider my objections, whilst I appreciate we need more housing, our SSI's need protecting, as does our farmland and nature and we need to be supporting nature recovery more urgently.

Many thanks *** Personal details have been removed ***

Full name: Judith Pearce

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to object to this proposal as I have concerns about what infrastructure, public services, etc there is in place to cope with the increased population. We need more doctors, nurses, medical practitioners, pharmacy's, etc, as currently these are over stretched to cope with the current population, getting to see a physio takes months and months, waiting lists at the RD&E hospital is increasing to a ridiculously long time. I am also concerned about the landscape and that building on it will increase flooding in the area.

Full name: annette pearson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Remve exmo_20 from the plans. This is an area of outstanding beauty, greenland, and home/breeding grounds to countless indigenous wildlife. Exmouth has already lost countless miles of nature to housing and roads and we need to support the wildlife as well as our natural scenery which brings in visitors that help support the town and surrounding areas.

Full name: Janet Penrose

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Sirs

I write to object in the strongest terms, to the proposal to build on this land.

National Landscapes should never be built upon. They are priceless assets for all wildlife therein, and to the people who enjoy these areas as an amenity.

Once the land is lost it cannot be regained. Nor can the nature and wildlife be relocated. We live in one of the most nature depleted countries in the Western World. Do not make it even worse.

Exmouth does not need more homes on its outskirts. It needs affordable central housing.

In addition there will be increased traffic chaos, and stress on the water/sewage infrastructure, which cannot cope with the current situation.

Yours faithfully

*** Personal details have been removed ***

Full name: Alison Phillips

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: If you're finding it too difficult to navigate the site please do get in touch SU Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land

to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a

reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed

development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness

and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses

in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from

the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". -----

----- LIST OF POLICIES REFERRED TO IN SUGGESTED
OBJECTIONS (FOR YOUR REFERENCE ONLY) National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the

protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 170b states that development should not increase flood risk elsewhere Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be

wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10

aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Voices should be heard

Full name: Colin and Christine Pilcher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmouth and Budleigh Salterton are town settlements each with distinctly different characteristics much valued by their respective residents and visitors. The proposed development will serve to inappropriately link the two to the detriment of both. It would put strain on existing public services of both towns and lead to an unacceptable increase in traffic on the the B3179 which is the main and only realistic route from Budleigh Salterton to Exeter, the M5 Motorway and A30.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Fern Purchall

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I and my husband strongly oppose to this plan, because this is destroying natural beauty, affecting peoples lives who live in the area and just really badly affecting this beautiful area.

My Mum, Nan and Great Nan are also buried at the church yard at St John's In The Wilderness, the fields and the general area surrounding it and the natural beauty around it is a very beautiful space to see, I love seeing the horses in the fields when I visit them at the church yard and it's just genuinely a very beautiful area. This church and fields are very peaceful and putting in so many houses will distrubt visiting being a nightmare to travel to as it's so narrow to drive though and not making it peaceful for someone like me to visit a loved one at the church yard the fields and natural beauty is always so calm and lovely and quiet when I go up to the cemetery. Many of us are very upset with this plan because of how this is going to affect everything and how much more busier things are going to be. It will be a nightmare putting in these so many houses in this beautiful area, meaning there will be so much traffic and destroying the natural peaceful feeling.

I understand people need houses but please just consider everything who is opposing their thoughts and feelings, especially with people who live there and the wildlife and how this will affect someone like me going to visit loved ones and gow this will interrupt the peaceful feeling of this beautiful old area, please find it in your hearts to consider

everyone who opposes the plan because there are many of us who want to keep this beautiful area and protect its future and preserve it much as we can.

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Thomas A L Ingram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Charles Isaac

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Its is contrary to many adopted policies in the Local Plan

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove EXMO_20 as a site being considered for housing development

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed development of site EXMO_20 is fundamentally flawed for the following reasons:- 1) Roads that would serve the site are woefully inadequate and any increased traffic flow along the B3179 would add to the numerous accidents that already occur on that road. 2) The drainage and sewer system in Exmouth & Budleigh is notorious for its lack of capacity and it clearly cannot cope with its current loads with regular weekly discharges of sewage into the Exe and the sea. If consent were to be granted then I recommend that a Grampian Condition be imposed to ensue that the developer, land owner and SWW prove that sufficient new sewage infrastructure will be provided to cope with the additional load on the system. 3) Exmouth only has one secondary school and there is no capacity for any additional pupils - the subject site could house between 250 and 500 children of secondary school age. 4) Doctors surgeries and hospital facilities are already at full stretch and there is no additional capacity to provide

healthcare for the residents of the new estate who could number as many as 3000. 5) The development proposed at Exmo_20 would inevitably bring hundreds of cats and dogs to the area to the great detriment to Woodbury Common Pebblebed Heaths(SAC/SPA). Developing Exmo_20 is contrary to POLICY PB01 of the local plan. There is no provision for any SANG. The extra dogs which could number as many as 1000 will also no doubt be taken to the beach and foul there too. and not in accordance with the mitigation strategy. 6) Exmo_20 would destroy the "tranquillity, wildness and dark skies" of the countryside, which is contrary to POLICY OL01. 7) Developing Exmo_20 would fragment and isolate habitats and destroy wildlife corridors, contrary to PARAGRAPH 13.23 of the Local Plan. It would be detrimental to irreplaceable habitats, veteran trees and species rich hedgerows across the site, contrary to PARAGRAPH 13.9. 8) Exmo_20 would have significant adverse effects on St John in the Wilderness Grade II* listed church and churchyard, drastically altering the peaceful setting for worship which currently exists for the congregation. This is contrary to POLICY HEO. 9) The development of Exmo_20 will cause increased risk of flooding. The site is upstream of Exmouth on the main rainwater catchment area of Withycombe Brook, on a subsoil of heavy clay which makes soakaways ineffective. It would exacerbate the already identified flood risk through the lower lying land at the bottom of the site and down through Withycombe. This is in conflict with POLICY ARO1B. 10) The location is not sustainable and would increase the need for car travel and increase traffic congestion, in conflict with PARAGRAPH 11.2. It is unsustainable development. It is isolated and people would need to travel much further than 800m to existing key services and facilities, contrary to PARAGRAPH 11.6. It is too far (and too steep) from any town centre for people to use walking or cycling as their choice of transport. This is contrary to POLICY TR01. 11) The main access point of Exmo_20 is significantly closer to Budleigh Salterton than Exmouth, making Budleigh its most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the obvious choice for residents of Exmo_20. This would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the local Plan. 12) Development of the site would further encroach on the important gap separating Exmouth from Lypstone and Budleigh which will lead to the three settlements eventually coalescing to become one ugly urban sprawl.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robert Oliver Kathro

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have reviewed all of the comments (objections) to this and the previous consultation that relate to the St. Johns road site. I support all of the comments.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It cannot be made compliant, the site must be removed from the proposals as it is incompatible with multiple policies as listed in the comments that I have referred to.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The St Johns road proposal comprises an extraordinarily large number of dwellings and for all the reasons stated by others who object it should not be included in the plan. No houses should be built there.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: There are no modifications that will make it sound. This consultation like many others is biased in favour of the proposals

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Like many consultations it is biased in favour and presumes that the proposals are sound when they are clearly not.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am not confident that the hearing will be unbiased.

Full name: MR MARK L KENT

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: no consideration has been given to overload of traffic near to darts farm and up to the roundabout turning off to exmouth - this section is already unable to cope with traffic!

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: a bypass of ebford from the M25 junction to exmouth and sidmouth is required by not likely !!!

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: as an transport exec

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicholas Lambrechts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM LOCAL PLAN - RECONSIDER OTHER SITES

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mrs Sally Leat

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest

to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove EXMO_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I would like my voice to be heard

Full name: Penelope Leather

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paras 16c, 32, 73b (specifically footnote 38 and 7), 180d, 180e, 181, 185a, 186b, 188 and 191c, of the NPPF December 2023

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: No mitigation policy has been produced to mitigate the risks for this site. Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Melanie Lester

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Move it away from the Pebblebed Heaths 2. Where are all the children who move into this development going to be educated. The comprehensive school is dire. The nearest primary school is St Peter's in Budleigh Salterton and it is falling down.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan. Sort out the woeful public transport. Rebuild the local primary school BEFORE you add yet more homes.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: STEPHEN LYNCH

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to EXMO_20

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan.

Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Allocation of Exmo_20 is [also] in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated

heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes.

In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: STEPHEN LYNCH

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths

SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by

multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_2

Full name: STEPHEN LYNCH

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: No viable access to the site. The B3179 access will add congestion and air pollution.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Allocation of EXMO_20 is not legally sound and not legally compliant.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sue-Claire Morris

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The infrastructure would be heavily impacted and there is already sewage in our seas. 700 more homes would cause more problems related to this.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heaths.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Philip Newton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proximity to the Pebblebed Heaths is too great and will undoubtedly lead to disturbance of the unique wildlife of this site. I do not believe a 400m buffer is sufficient to mitigate against these impacts. The additional public pressure 700 new homes will generate from dog walkers in particular will have significant impacts together with the high likelihood that domestic cats from the site will predate sensitive birds and invertebrates such as butterflies. They also predate lizards and snakes. This must not be allowed to happen. Once this special wildlife are lost it is extremely hard to replace. The wildlife of the Pebblebed heaths need to be able to move outside of the area itself they cannot be expected to remain in the boundaries so 400m is a zone in which the wildlife may move so a further buffer zone is needed from the 400m point of about the same again to minimise impacts on this sensitive flora and fauna. Also, migratory birds may be deterred from accessing the Pebblebed heathland because of the disturbance caused by both the building works and the new conurbation with associated people and traffic movements and also the additional night time lighting which will appear. Additional issues that a development of this size will cause include a significant increase in sewerage loading. The Exmouth sewerage system is already overloaded and regularly causing operation of the storm overflows which are affecting water quality in the watercourses and of course at our bathing beaches. Until this excessive operation of storm overflows is stopped this development should not proceed and nor should any others in this sewerage catchment. Then there is the impact of the additional vehicles and vehicle movements in this area. Exmouth already suffers congestion problems especially at peak times of day this development would add additional loading to some

significant congestion hotspots and to the problems of congestion on the Exmouth-Exeter Road.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this section from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Goes against the wishes of the local people

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Lucy Nicholls-Brice

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I consider that allocation Exmo_20 is not legally compliant for the following reasons: 1. Failure to comply with the Habitats Regulations: Exmo_20 includes land within 400 metres of the Pebblebed Heaths SAC/SPA. The Local Plan acknowledges that development resulting in unacceptable impacts within this buffer will not be permitted. However, the plan allocates approximately 700 dwellings and associated employment land without demonstrating, at plan-making stage, compliance with the Conservation of Habitats and Species Regulations 2017. The site and its immediate environs support, or functionally support, nightjars, a qualifying feature of the Pebblebed Heaths SPA, including known and potential foraging areas. The scale of development proposed would increase recreational pressure, lighting, noise and habitat fragmentation, all of which are recognised impact pathways for nightjars. In the absence of evidence that concludes, beyond reasonable scientific doubt, that the allocation will not adversely affect the integrity of the SAC/SPA, the plan fails to meet the statutory requirements of Regulation 63. 2. Failure to comply with duties relating to protected and notable species: The site and its close environs are known to support beavers, deer and glow-worms, species which are material considerations in planning and relevant to the duties under section 40 of the Natural Environment and Rural Communities Act 2006 to conserve and enhance biodiversity. Glow-worms are particularly sensitive to habitat loss and artificial lighting, both of which are inherent to a development of this scale. The plan allocates the site without demonstrating how impacts on these species can be avoided or mitigated, relying instead on future assessment. This approach fails to demonstrate legal compliance at plan-making stage. The proposal also includes access works and development affecting the landscape. The policy requires development to

conserve and enhance natural beauty, avoid street lighting, and ensure sensitively designed infrastructure: it is unrealistic that a development of this scale and intensity can meet these requirements without unacceptable landscape, natural and visual harm, particularly in the northern parts of the site. 3. Failure to comply with Mineral Safeguarding requirements: The northern part of Exmo_20 lies within a Mineral Safeguarding Area for sand and gravel resources, including Pebblebed geology. The Local Plan states that development within such areas will not be permitted unless supported by a robust Mineral Resource Assessment demonstrating that the resource is not of current or potential economic value, or unless prior extraction is undertaken. By allocating the site without establishing that these requirements can be met, the plan risks sterilising a safeguarded mineral resource and is not legally compliant with the adopted minerals planning framework. 4. Failure to demonstrate compliance with statutory heritage duties: The allocation affects the setting and tranquillity of the listed St John in the Wilderness Church. While the policy refers to future heritage assessment and buffers, the plan does not demonstrate how the statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 has been satisfied at allocation stage. Reliance on future mitigation is insufficient to demonstrate legal compliance. For the reasons above, allocation Exmo_20 fails to demonstrate compliance with the Habitats Regulations, biodiversity duties, mineral safeguarding requirements, and statutory heritage duties. Insufficient work has been done and therefore the chapter is not legally compliant insofar as it relates to the Exmo_20 site.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Given the extent and interaction of the identified legal failures - in particular the inability to demonstrate compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the unresolved sterilisation of a Mineral Safeguarding Area, and the failure to discharge statutory biodiversity and heritage duties at plan-making stage - modification of the policy wording alone would be insufficient to remedy the legal non-compliance. The only lawful modification is the removal of allocation Exmo_20 in its entirety from the Development in the Towns and Villages chapter. This is necessary because the allocation relies on the deferral of fundamental legal tests and mitigation to future project-level assessment, which is not permissible where there is reasonable scientific doubt as to adverse effects on an internationally protected site and where safeguarded mineral resources may be irreversibly sterilised. Retaining the allocation would therefore continue to place the plan in conflict with statutory requirements.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I consider this part of the Development in the Towns and Villages chapter to be not sound because, for the reasons set out above, allocation Exmo_20 is not justified, not effective, and not consistent with national policy. In particular, the allocation relies on the deferral of fundamental constraints - including compliance with the Habitats Regulations, mineral safeguarding, biodiversity duties, landscape protection and heritage impacts - to future assessment and mitigation. This means the policy is not based on a proportionate or robust evidence base, cannot be delivered in a legally compliant manner, and fails to demonstrate that the identified impacts can be avoided or made acceptable. Accordingly, the policy does not meet the tests of soundness set out in national planning policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: For the reasons set out above, allocation Exmo_20 is not justified, not effective and not consistent with national policy. These deficiencies arise from fundamental and unresolved constraints relating to internationally protected habitats, biodiversity, mineral safeguarding, landscape and heritage, which cannot be resolved through policy refinement or additional criteria. Accordingly, the only modification capable of making this part of the Development in the Towns and Villages chapter sound is the removal of allocation Exmo_20 in its entirety. Delete all references to allocation Exmo_20 (Land at St John's, Exmouth) from the Development in the Towns and Villages chapter and the Policies Map.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: No. The allocation of Exmo_20 relies on unresolved strategic matters requiring cooperation with statutory bodies, which have been deferred rather than resolved at plan-making stage, and therefore fails to demonstrate compliance with the duty to cooperate.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Philippe Panel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Philippe Planel

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection.

It is a site of Specific Scientific Interest (SSSi), it is a Special Protection Area (SPA), Special Area of Conservation (SAC), It is a Statutory Nature Area (SNA), it is protected as part of the Local Nature Recovery Strategies (LNRS, sometimes referred to in context with nature-based actions as LNRA) and it is a Natural Nature Reserve (NNR), (which incidentally is the highest level of conservation protection available under UK legislation.)

The Common is also in the process of being included in the local nature recovery strategy of Devon as high value land.

This is one of the most highly designated conservation areas in the South West of England.

Not to mention that the actual site that has been put forward for the development of Exmo_20, has itself has been designated as a strategic natural area for its importance as a link between The Common and The Sea.

To consider placing a major housing development on the edge of Woodbury Common is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law.

The Mitigation Hierarchy which I'm sure the committee is familiar with, asks first and foremost; can another site provide the same outcome with less harm?

This proposed site, adjacent to an Extremely protected landscape surely fails that basic test.

The Woodbury Common is not just a local treasure it forms part of the network of Rare Lowland Heath, which is home to species found nowhere else in Britain, making it critical to our national biodiversity strategy.

To build 700 houses, and all the Infrastructure and support systems that those houses would need, with the inevitable impacts of noise pollution, light pollution, traffic, not to mention domestic animals and human pressure, all so close to this important, sensitive and rare habitat runs counter to the very purpose of its protected status.

Let us not forget that the damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

Saying no to the allocation of this site is not a rejection of progress. True progress means choosing sites that allow us to meet our housing needs without undermining the fragile natural world of which we have a duty as educated civilised, moral and hopefully responsible citizens to protect.

If the site were to be given a greenlight by the committee what precedent would it set for property developers in the future wishing to build large scale projects at the doorstep of highly sensitive and protected conservation areas?

What Hope will nature have if the leaders of today do nothing to protect it?

It is clear for all to see that we are living in a time when so many global leaders are choosing to make short sighted, irrational decisions that are not only illogical but laugh in the face of the incredibly hard work of so many predecessors whose tireless efforts built systems, not only for conservation, but also to create checks and balances for the protection of all going forward.

Surely, as the living custodians of this land, it is our duty to preserve the significance and power of those systems and protections. May it not be us that the finger of future generations gets pointed at along with the slur “it was they that let us down”.

I live in hope that the committee will choose not to align itself with the kind of illogical and immoral decision making and behaviour that is creating unprecedented destruction the world over.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area.

If the committee truly honours mitigation hierarchy and the values behind SSSI, SPA, SNA, LNRA, and NNR protections then I believe the only reasonable decision is to seek an alternative location.

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To consider placing a major housing development on the edge of The Woodbury Common (which is In fact one of the most highly designated conservation areas in the South West of England.) is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: If the committee truly honours mitigation hierarchy and the values behind SSSI, SPA, SNA, LNRA, and NNR protections then I believe the only reasonable decision is to seek an alternative location. In fact The Woodbury Common is one of the most highly designated conservation areas in the South West of England. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: If the site were to be given a greenlight by the committee what precedent would it set for property developers in the future wishing to build large scale projects at the doorstep of highly sensitive and protected conservation areas? The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection. In fact it is one of the most highly designated conservation areas in the South West of England. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Saying no to the allocation of this site is not a rejection of progress. True progress means choosing sites that allow us to meet our housing needs without undermining the fragile natural world of which we have a duty as educated civilised, moral and hopefully responsible citizens to protect. The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection. In fact it is one of the most highly designated conservation areas in the South West of England. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To build 700 houses, and all the Infrastructure and support systems that those houses would need, with the inevitable impacts of noise pollution, light pollution, traffic, not to mention domestic animals and human pressure, all so close to The Woodbury Common, which is not only an important, sensitive and rare habitat but also the most protected site of conservation in the South West of England, runs counter to the very purpose of its protected status. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The actual site that has been put forward for the development of Exmo_20, has itself has been designated as a strategic natural area for its importance as a link between The Common and The Sea. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is in the process of being included in the local nature recovery strategy of Devon as high value land. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is a Natural Nature Reserve (NNR) (which incidentally is the highest level of conservation protection available under UK legislation.) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is a protected as part of the Local Nature Recovery Strategies (LNRS, sometimes referred to in context with nature-based actions as LNRA) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is a Statutory Nature Area (SNA) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is a Special Area of Conservation (SAC) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is a Special Protection Area (SPA) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common is a Special Protection Area (SPA) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Woodbury Common forms part of the network of Rare Lowland Heath, which is home to species found nowhere else in Britain, making it critical to our national biodiversity strategy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Carey A Ratcliffe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:

Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Building on land at Littleham defies logic. The nature of the terrain, water distribution & failing sewage structure in and around Exmouth, says a giant NO. The need for burial space with Littleham cemetery adjacent suggests that allowing for additional space & planting a National Forest would make this space an enhancement to the already established Coastal Protection Scheme. The cycle path is used by those seeking a respite from traffic overload, many using it as a way to get to & from work. It is a corridor of peace & nature. It is accessible for those of us who find it difficult to negotiate pavements & roads.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Building on land at Littleham defies logic. The nature of the terrain, water distribution & failing sewage structure in and around Exmouth, says a giant NO. The need for burial space with Littleham cemetery adjacent suggests that allowing for additional space & planting a National Forest would make this space an enhancement to the already

established Coastal Protection Scheme. The cycle path is used by those seeking a respite from traffic overload, many using it as a way to get to & from work. It is a corridor of peace & nature. It is accessible for those of us who find it difficult to negotiate pavements & roads.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_17

Full name: Jo Ravanello

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please submit my objection to the mega housing development EXMO 20 near Budleigh Salterton.

We are losing our beautiful countryside that makes Devon, Devon, at an alarming rate with endless ruinous and harmful housing developments taking over green and pleasant land. Greenbelt land that should be used for nature protection and food production.

We are experiencing a catastrophic loss in wildlife habitat and biodiversity with many species facing serious threat and extinction. Sewage is dumped into our beautiful rivers and polluting our seas.

Community services are overwhelmed. Roads are heaving with traffic. Budleigh Salterton will be harmed and overwhelmed.

I implore you to protect our natural world.

Full name: Jo Ravanello

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please submit my objection to the housing development EXMOUTH 04.

We are losing our beautiful countryside that makes Devon, Devon, at an alarming rate with endless ruinous and harmful housing developments taking over green and pleasant land. Greenbelt land that should be used for nature protection and food production.

We are experiencing a catastrophic loss in wildlife habitat and biodiversity with many species facing serious threat and extinction. Sewage is dumped into our beautiful rivers and polluting our seas.

Community services are overwhelmed. Roads are heaving with traffic.

I implore you to protect our natural world.

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Reduce or remove EXMO_20 from local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EXMO_20 should be significantly reduced and access to the B3179 should be withdrawn.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: EXMO_20 should be removed from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce or remove EXMO_20 from local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduced size of EXMO_20. More green space amongst houses, no street lighting.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove access from the B3179 and significantly reduce the size of EXMO_20

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) ... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan or significantly reduce and limit easy access to the pebblebed heaths removing access to the B3179.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan or revert to EXMO_20B and significantly reduce size.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Billy reed

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would Overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when Considering the Exmo_20 allocation. The site's and the local area's Topography makes the potential cycling and walking options less viable, Which is not apparent on the policy maps. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was Calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence Documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing

policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not Employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of reeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be

applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the Priority habitats contained within the protected site vulnerable to Degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively Communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly

needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving everytime residents went anywhere and returned home. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

From what I can see no consideration has been given to the massive impact the proposals will have on the already overstretched services such as doctors, schools, sewers, dentists, policing, waste disposal the list is never ending. We are being encouraged to save the environment and our very delicate ecosystem, frankly this proposal rides roughshod over the whole idea of everything we are being told that is the cornerstone to the future of our environment and community.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: courtney Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. In view of the above, East Devon Natural Landscape does not support the adoption of this land as an area for development. 2. Or if non-adoption is not possible due to other demands, such as

housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

1. My preferred option would be to remove EXMO_20 from the Local Plan. Local facilities are already stretched to breaking point and more houses will exacerbate the situation. Also, sewerage facilities at Exmouth and Budleigh Salterton are already subject to major failures (Exmouth's failings have attracted national interest) . An increase in housing stock will cause yet more failures as SouthWest Water are already fighting a losing battle against failure of parts of their infrastructure 2. If this is not possible, then reduce the size of EXMO_20. 3. Site should not be accessed from the B3179. Road is not suited to the potential increase in traffic 4. Have a much more distant boundary from the valuable natural amenity of the Heathland Pebblebeds

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pauline Ann Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. I

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: courtney Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 Mitigation Hierarchy as set out in NPPF para 32. The LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. 2. Little consideration has been given to how the already overloaded sewerage system for Exmouth will be able to cope with this increased flow. 3. Policy TR03 of the NPPF December 2023 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand (the B3179 is a narrow road which is already heavily used and large lorries already cause problems for oncoming traffic) and it is not possible to address such impacts planning permission should be refused.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

1. The size of Exmo_20 should be reduced 2. The site should not be accessed from the B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Justin Roberton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to appose planning in Exmo - 17 that large housing estates should not be built on National Landscape. The building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. The exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users.

Full name: Annika Roberts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am emailing in connection with the local plans to build new homes within Exmouth. I might have already done it. Sorry if I have.

I object to the proposed plans of part 04 on the Local Plan (known as the lawn) for the following reasons:-

1) It is a Wood Pasture Priority Habitat that has many ancient trees and is home to many endangered species, some of them on the red list.

2)The parkland was probably laid out when 'Whimsey' house was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site.

3)The National Planning Policy Standing Advice is that planning should be refused because there is narrow field with ancient woods each side, this is a corridor for the wildlife.

4) I also understand that the plan is to alter a stream, which runs underground through the middle of field. This currently takes run off from commons. Therefore any hard

landscaping could lead to serious flooding into Exmouth. We already have enough excrement going into the sea. We don't want this to get even worse. Not only does it affect the Marine life that lives in the sea, but local residents and businesses too.

5) The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I don't envy your job of trying to find land that is ok to use for much needed affordable and sustainable housing.

Full name: Tamsin Robertson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Myself and my family have lived at XX (for data protection reason) Capel Lane, Exmouth for the past 11.5 years. What once was a quiet, safe area has become saturated with housing estates on every available green space. In the last few years in excess of 3000 houses have been built in one square mile of here, and yet you now propose to build even more on what was an area of outstanding natural beauty. I strongly oppose this ridiculous proposal to build 410 houses on the fields to the left and right of the Littleham cycle track for several reasons. I must use my democratic right to object to the destruction of our precious National Landscape.

Full name: Angela Robinson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_04a, Exmo_20, Lymp_14

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_04a Exmo_20 & Lymp_14 are all developments on the very edge of Exmouth. These contravention the EDDC policy statements that state - TR01 - developments will prioritise walking, cycling & public transport - Development should be located and designed to ensure that walking, wheeling, cycling and public transport should bear the natural first choice for short local journeys, or as part of a longer journey. Walking and cycling routes must be prioritised in new development (specifically including where land is allocated for development) – such routes should be coherent, direct, safe, comfortable and attractive. Where appropriate, cycle paths should be segregated from pedestrians to reduce the potential for conflict (for example, where high usage levels are anticipated). Proposals for walking and cycling routes should be aligned with the Local Transport Plan and, where relevant, the Clyst Valley & New Communities and Countywide Local Cycling and Walking Infrastructure Plans. New development (specifically including where land is allocated for development) should facilitate access to high quality public transport through its location, layout, and, where necessary, contributions to public transport services and/or facilities TR03 - Where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they are supported by a transport statement or transport assessment, and a subsequent travel plan In relation to the 3 sites, all located on the very outskirts of Exmouth; All are located at least 3 miles from Exmouth Centre & the Railway station The 3 sites proposed will all rely on the use of the car, completely going against the Strategic policy that EDDC has outlined. 1. They are not within easy public transport reach 2. if you can get to them - The existing bus routes are infrequent with most having an hourly service at best 3. the planned access to these sites have no

pathways or cycleways and has no space to create them 4. all developments proposed are on already narrow country lanes that are over used and even now are not fit for purpose 5. The proposed developments may lead to increased isolation & costs for those that do not have the use of a car. Undertaking basic tasks - shopping, visiting Doctors, dentists etc and socialising - will all increase costs eg the use of Taxi and are not sustainable.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Angela Robinson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a, lymp_14

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The proposed inclusion of Exmo_04a & Lymp_14 in the EDDC local plan is ill thought through & detrimental to the local area for the following reasons; Access to the 2 combined sites via Higher Marley Rd is unsafe with what is currently a country lane. It has no pedestrian pathway & is too narrow to accommodate one. The proposed access is on a bend in the road & this road is already used as a dangerous rat run from the B3179. The junction to the B3179 is also on a bend with poor visibility & is dangerous in itself! The B3179 is already very busy and narrow in places & is not fit for purpose without any further development. The width of the Higher Marley Road does not permit the Highway code recommendation of passing a cyclist (or pedestrian) by a width of 2 meters. Any improvements would involve removal of mature protected trees & hedgerows. Police are already aware of the speeding issues along this road and adding further traffic is unacceptable & dangerous. The development itself encroaches on the countryside buffer between Exmouth & the Pebblebed Heaths which is designated a SSSI site. The site itself is home to protected animal & bird life which are known to live here, not least the Barbastelle bat, one of the rarest mammals in the UK. The entire site is home to many trees subject to TPO's. There are ancient, veteran & many mature trees not least wonderful examples of the Lucombe Oak, so special to this part of Devon. Any felling & disturbance of these trees will be unacceptable. Having a root protection area around these trees will not be sufficient for the real & lasting damage that will be caused to the wildlife & the tress by digging attenuation ponds, building a foul water pumping station & giving public access to the site. The site already has drainage issues with

discharges from the higher grounds of Pine Ridge & Black Hill. Flooding in gardens & fields on the edge of this site is a regular known feature. There is currently no mains drainage (or mains gas) available to existing properties in Higher Marley Rd who use septic tanks/cesspools. Additional houses will only add to Exmouth's already overloaded sewage systems, so evident in the town over the last 12 months. The increased risk of flooding to the already built up Goodmores Estate would increase. The development, with lack of pedestrian & cyclist access is far from the rail and bus services network, with the town centre over 3 miles away, requiring the need to use a car. The lack of local infrastructure and the burden on schools, health centres etc is also of concern. I also note that this was not a development for the preferred category (1) when the Local plan was being considered (and was rejected for the last Local Plan) I therefore ask that these sites be removed from the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Nil - these sites should be removed from the local plan for the reasons outlined above.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Neill Robson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Karen Robson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant

detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off

leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the democratic process is followed. The current process of placing objections is so obscure and difficult for ordinary members of the public to follow that it is cannot be described as democratic.

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the democratic process is followed. So far I feel the process of placing objections is so obscure and difficult for ordinary members of the public to follow that it is not very democratic.

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20 -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The Local Planning Authority has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below:

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the democratic process is properly observed.

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Fpr democratic representation.

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
EXmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of EXmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of EXmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "EXmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously propose

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the See Stop Exmo.20 Facebook page for full comments SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of

Exmo-20. Do not access the site via B3179. Move the settlement boundary further away from the Pebblebed Heaths. evert to 20b as previously proposed.

Full name: Nicholas Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Make Exmo-20 a smaller development. Use an access other than onto the B3179.

Full name: Anna Ross

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There is already a massive issue with sewerage in the area, spoiling our natural beaches and sea. Adding further development to an area which is already over subscribed will increase this problem.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove exmo_20 from any local development plans, plus improve sewerage in the area to stop dumping raw sewerage in the sea.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Micheal Rosser

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I do not represent the town council but ask as an individual town councillor for consideration of my concerns about some of the major proposals within the plan.

- The proposal to build 22000 new dwellings in East Devon by 2042 is an increase of 33% on the 66786 dwellings in East Devon recorded in the 2021 census. It has been stated that this is a requirement of government policy. I question this interpretation of government policy. If in fact this is a requirement of government policy I think it is a bad policy, which will result in significant harm to the environment of East Devon and significant carbon emissions, which will contribute to global warming.

<https://democracy.eastdevon.gov.uk/documents/s25869/App1Housing%20Strategy%202025-30%20consultationdraftdec24.pdf> .

- It is proposed that 13000 of these new homes will be built in and around Exmouth, while an estimated 1248 homes in the town have “no usual residential household” e.g. . second homes/ holiday lets.

- In order to build these 13000 new homes, it is proposed to build on and destroy some of our heritage of beautiful rural areas around the town, including areas within the National Landscape.

- Social housing need will not be met in spite of the proposed house building . Within East Devon Currently 6000 people are on the social housing waiting list. Only 4000 ‘affordable homes’ are planned to be built.
- Infrastructure is unable to meet the needs of the current population The population of Eat DEvon increased by 13.8% between 2011 and 2021, More thanin any other area in Devon and Cornwall. This has resulted in increased road congestion, increased discharges of sewage into the sea, rivers and estuaries and increased pressure on health, social care and education services. Exmouth can only be accessed by one frequently gridlocked A road and a half hourly rail link. There is no indication within the current infrastructure plan - https://eastdevon.gov.uk/media/2270747/idp-review-2017_report.pdf of needs of the proposed increase of population being met.

Full name: Michael Patrick Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I moved to this area of East Devon 3 years ago having worked in Salford and Greater Manchester for 35 years. I am sure you all recognize what a beautiful area this is but as some coming from outside, what you have here is completely unique and priceless and the jewel in the crown I'd the Pebbled Heath. I have lived all over the UK and there is no other area that I have found that is such a large area of natural heathland, so filled with biodiversity and yet affording access to the local population for recreation. It's a very fine balance but remarkably you have succeeded in achieving this. Much of that success is due to the hard work of environmental protection legislation and the work of dedicated people wanting to preserve this natural sanctuary for future generations. I met Karim Rabik very soon after moving here and he and I have identical views on this development so I'm submitting his letter (a transcript of one of the best speech's I've heard give at a planning meeting) as my argument for changing the planning committee's decision on Exmo-20. The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection. It is a site of Specific Scientific Interest (SSSi), it is a Special Protection Area (SPA), Special Area of Conservation (SAC), It is a Statutory Nature Area (SNA), it is protected as part of the Local Nature Recovery Strategies (LNRS, sometimes referred to in context with nature-based actions as LNRA) and it is a Natural Nature Reserve (NNR), (which incidentally is the highest level of conservation protection available under UK legislation.) The Common is also in the process of being included in the local nature recovery strategy of Devon as high value land. This is one of the most highly designated conservation areas in the South West of England. Not to mention that the actual site that has been put forward for the development of Exmo_20, has itself has been designated as a strategic

natural area for its importance as a link between The Common and The Sea. To consider placing a major housing development on the edge of Woodbury Common is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law. The Mitigation Hierarchy which I'm sure the committee is familiar with, asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to an Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The Woodbury Common is not just a local treasure it forms part of the network of Rare Lowland Heath, which is home to species found nowhere else in Britain, making it critical to our national biodiversity strategy. To build 700 houses, and all the Infrastructure and support systems that those houses would need, with the inevitable impacts of noise pollution, light pollution, traffic, not to mention domestic animals and human pressure, all so close to this important, sensitive and rare habitat runs counter to the very purpose of its protected status. Let us not forget that the damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development. Saying no to the allocation of this site is not a rejection of progress. True progress means choosing sites that allow us to meet our housing needs without undermining the fragile natural world of which we have a duty as educated civilised, moral and hopefully responsible citizens to protect. If the site were to be given a greenlight by the committee what precedent would it set for property developers in the future wishing to build large scale projects at the doorstep of highly sensitive and protected conservation areas? What Hope will nature have if the leaders of today do nothing to protect it? If the committee truly honours mitigation hierarchy and the values behind SSSI, SPA, SNA, LNRA, and NNR protections then I believe the only reasonable decision is to seek an alternative location. It is clear for all to see that we are living in a time when so many global leaders are choosing to make short sighted, irrational decisions that are not only illogical but laugh in the face of the incredibly hard work of so many predecessors whose tireless efforts built systems, not only for conservation, but also to create checks and balances for the protection of all going forward. Surely, as the living custodians of this land, it is our duty to preserve the significance and power of those systems and protections. May it not be us that the finger of future generations gets pointed at along with the slur "it was they that let us down". I live in hope that the committee will choose not to align itself with the kind of illogical and immoral decision making and behaviour that is creating unprecedented destruction the world over. Sincerely Karim Rabik

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To make sure this unique site is protected for future generations

Full name: Michael Patrick Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from the local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sue Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sue Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sue Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sue Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sue Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Just such an important issue for future generations and to make sure environmental protection for this vital site is respected.

Full name: Michael Patrick Rothera

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection. It is a site of Specific Scientific Interest (SSSi), it is a Special Protection Area (SPA), Special Area of Conservation (SAC), It is a Statutory Nature Area (SNA), it is protected as part of the Local Nature Recovery Strategies (LNRS, sometimes referred to in context with nature-based actions as LNRA) and it is a Natural Nature Reserve (NNR), (which incidentally is the highest level of conservation protection available under UK legislation.) The Common is also in the process of being included in the local nature recovery strategy of Devon as high value land. This is one of the most highly designated conservation areas in the South West of England. Not to mention that the actual site that has been put forward for the development of Exmo_20, has itself has been designated as a strategic natural area for its importance as a link between The Common and The Sea. To consider placing a major housing development on the edge of Woodbury Common is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: such a vital issue needs local representation to ensure environmental policy and laws are given sufficient consideration for future generations

Full name: Clare Sexton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple

other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or

domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main

access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be

reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Fiona E Shaw

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This proposed development is a greenfield site which is just 400 metres from a Site of Special Scientific Interest (SSSI) which forms the core of a much larger protected area that is also a Special Protection Area (SPA), a Special Area of Conservation (SAC) and a National Nature Reserve (NNR). The East Devon Pebblebed Heaths which are located just a few miles outside Budleigh Salterton are a site of critical importance for rare habitats, diverse species like Dartford warblers and nightjars, and unique geological features like the pebblebed ridge. The infrastructure of Budleigh Salterton is unable to cope with any more development. Budleigh is a seas side town with limited employment options. The roads in this area are not suitable for an increase in vehicular traffic.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan as this site is totally unsuitable for a development of this size.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Thomas Shillitoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: No HRA

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: No HRA

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_2-

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No HRA

Full name: Thomas Shillitoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Why was a new Site Selection Methodology created in December 2024 after the site selection process was complete and why was the actual one dated May 2022 not referenced or included in the evidence library. This appears to be unreasonable behaviour by the LPA.

Full name: Thomas Shillitoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification

will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please

be as precise as possible.: The air quality mitigation strategy is yet to be decided but sites selected are reliant on that strategy. The air quality mitigation strategy could have implications for neighbouring LPAs such as Exeter & Teignbridge if the air quality mitigation strategy is similar in form to the existing recreational impacts mitigation strategy which has a catchment which includes Exeter & Teignbridge LPAs [map attached], therefore the Duty to cooperate cannot be considered complied with until such time that the air quality mitigation strategy is decided and then provided for these LPAs to be consulted upon.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The current Plan fails in terms of legal compliance, soundness, and duty to cooperate not least because there is no air quality mitigation strategy agreed which is fundamentally undermining the entire development of the plan and because the site selection process was completed prior to an Appropriate Assessment, the plan is in breach of the "people over wind" CJEU ruling.

Full name: Thomas Shillitoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The air quality mitigation strategy is yet to be decided but sites selected are reliant on that strategy. The air quality mitigation strategy could have implications for neighbouring LPAs such as Exeter & Teignbridge if the air quality mitigation strategy is similar in form to the existing recreational impacts mitigation

strategy which has a catchment which includes Exeter & Teignbridge LPAs, therefore the Duty to cooperate cannot be considered complied with until such time that the air quality mitigation strategy is decided and then provided for these LPAs to be consulted upon.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The current Plan fails in terms of legal compliance, soundness, and duty to cooperate not least because there is no air quality mitigation strategy agreed which is fundamentally undermining the entire development of the plan and because the site selection process was completed prior to an Appropriate Assessment, the plan is in breach of the "people over wind" CJEU ruling.

Full name: Thomas Shillitoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East

Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_20 from the Plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution

and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The proposed mitigation strategy required to justify the

sites selected is not known and could have a significant impact on the neighbouring authorities of Teignbridge & Exeter. The existing recreational impacts mitigation strategy includes these two authorities. [attached map of existing recreational impacts mitigation strategy]

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The allocation sites were selected prior to an Appropriate Assessment and are reliant on a yet to be determined air quality mitigation strategy. Once this has been determined there will be a duty to cooperate regarding this strategy should its reach be beyond EDDC.

Full name: Thomas Shillitoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Exmo_20 from the Plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land

to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Proposed required air quality mitigation strategy may have implications on neighbouring authorities

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Proposed required air quality mitigation strategy may have implications on neighbouring authorities

Full name: Thomas Shillitoe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The policy is based on the Sustainability Appraisal which is reliant upon the Site Selection Methodology. My comments are as follows: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site’s inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection

Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the ‘People over Wind’ CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site’s current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Objection 5. On page 390 the SA states ” Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts”. The 400m exclusion zone relates to urban effect, not “recreation impacts”, demonstrating the LPA’s (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of “could lead to some of the greater adverse impacts” for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an “Inherent Conflict”. There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site’s allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land’s high biodiversity value to “establish coherent ecological networks”, not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site’s allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid.

Objection 7. On page 392

the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. -----

----- Objection 8. On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised

wording for the relevant policy or paragraph. Please be as precise as possible.: Use the correct May 2022 Site Selection Methodology to inform the site selection process and the Sustainability Appraisal, to then in turn inform the Chapter 5 policies. (The December 2024 Site Selection Methodology was retrospectively created after the site selection process was complete).

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The policy is based on the Sustainability Appraisal which is reliant upon the Site Selection Methodology. My comments are as follows: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site’s inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the

Appropriate Assessment, in conflict with the ‘People over Wind’ CJEU ruling.

Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site’s current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound. Objection 5. On page 390 the SA states ” Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts”. The 400m exclusion zone relates to urban effect, not “recreation impacts”, demonstrating the LPA’s (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of “could lead to some of the greater adverse impacts” for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an “Inherent Conflict”. There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site’s allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land’s high biodiversity value to “establish coherent ecological networks”, not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site’s allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid. Objection 7. On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Use the correct May 2022 Site Selection Methodology to inform the site selection process and the Sustainability Appraisal, to then in turn inform the Chapter 5 policies. (The December 2024 Site Selection Methodology was retrospectively created after the site selection process was complete).

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans if the strategy reaches into the neighbouring authorities similar to the existing recreational impacts mitigation strategy [recreational impacts mitigation strategy map attached]

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The December 2024 Site Selection Methodology was retrospectively created after the site selection process was complete. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans if the strategy reaches into the neighbouring authorities similar to the existing recreational impacts mitigation strategy.

Full name: sally sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

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OBJECTION 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

Full name: sally sinclair

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

Full name: sally sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: .

OBJECTION 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

Full name: sally sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: .

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: gordon duncan sinclair

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: Ellen Singleton-Wood

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Many of us have found the online objection process unnecessarily complex and difficult to use. This puts people off making an objection which is useful to yourselves but undemocratic and not inclusive - far from supposed government strategy. I hereby use email to express my objection to the proposal for Exmo -17. This is an area of outstanding natural beauty currently national landscape. People travel for hours to stay in this area for the natural beauty and peace from the ratrace that can be found. Your decision to build will destroy another corner of precious natural beauty which can never be recuperated. The site offers views across the fields towards the sea and encompasses the cycle path from Exmouth to Budleigh plus circular walks including the SW coast path. These are all leisure destinations for the tourist industry on which Exmouth and Budleigh are dependent. We are distinctive, peaceful nature based areas for tourists. Let's keep it that way. Exmouth has already taken its share of new builds with very little provision for affordable houses for our local essential workforce once again. We may need some new housing but focus on creating the right houses in the right places. Council housing in infill sites and use of empty properties need to be prioritised. Not to mention the crippled infrastructure of southwest water and all the sewage issues and poor road maintenance. More houses equates to greater demands on the infrastructure with higher populations using the same neglected systems and more cars pounding already damaged roads. Please stand up for our beautiful corner of East Devon. Make the case that this area is different in character from many areas - it is an area that a good percentage of the UK population use as a holiday destination precisely because it has not been destroyed by pollution/overcrowding and destruction of nature.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Don't just roll over and not fight for us. Visit the area - walk along the footpaths/ enjoy the views/ go birdwatching - don't just sign on the dotted line. Trusting you will take the right action to preserve our stunning East Devon.

Full name: Ellen Singleton-Wood

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Tourists travel for hours to visit this part of beautiful East Devon. Development here will destroy those calm spaces of nature and beautiful views that visitors and residents have come to appreciate. THIS IS VERY DIFFERENT FROM OTHER SITES HIGHLIGHTED FOR DEVELOPMENT AND SHOULD BE DEFENDED BY OUR REPRESENTATIVES. I think it is essential to remove Exmo_20 from the Local Plan and work harder to find alternative sites if necessary. Do not follow the government new rules blindly - fight for our area as it is special and is a destination for many escaping the rat race and seeking natural surroundings. The B3179 is a winding rural road providing views down the hill across the estuary and is a stunning entrance to Budleigh for tourists. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate

assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heath and leave the views as they stand. keep noise and light pollution away from Bystock and Pebblebed heaths. Have you been there to see the wildlife such as the nightjars rising from their undergrowth nests? Have you sat and contemplated the peace of Bystock with the waterlilies in bloom, the dragon flies and the beavers building their dams? This is a special and different area. We need to treasure such spaces for the well-being of all and the fostering of nature. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding

European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands

and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Smeatham

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

wish to object to the above proposal on the following grounds: Housing need The primary housing need in Exmouth is for genuinely affordable homes of mixed tenure, including social rent, for residents on low incomes and local wages. It is unclear whether Exmouth Town Council's assessment of housing need has been properly consulted or reflected in this proposal. The majority of homes proposed for the prime National Landscape site Exmo-17 would be high-end properties, likely to be purchased by people from outside the area rather than addressing local need. Development on land outside the National Landscape would be significantly cheaper, allowing for a higher proportion of affordable and rented housing that Exmouth urgently requires. Furthermore, past experience shows that the final number of affordable homes delivered is often substantially lower than initially proposed. This raises serious doubts about whether this development would meaningfully address Exmouth's housing needs. Sustainable Transport The proposed development at Exmo_17 would introduce an estimated 800–900 additional vehicles onto the local road network. The main access road would be directly opposite the Liverton Trading Estate, a location already known as a major traffic bottleneck, with frequent queues of vehicles waiting to exit. The proposal includes a new roundabout and two pedestrian crossings on the main road into and out of Exmouth. These measures would significantly impede traffic flow, leading to increased congestion, higher air pollution, and longer journey times. For residents commuting to Exeter, where many jobs are located, the practical options would be to drive or to undertake a poorly connected public transport journey involving either two buses (running only every 30 minutes) or a combination of bus and train. This does not constitute sustainable transport and risks increasing car dependency. Landscape Site

Exmo-17 previously benefited from two landscape protections. East Devon District Council recently removed its Coastal Preservation Area status without adequate justification, despite hundreds of objections from local residents. Exmo-17 is on a large and highly valued area of National Landscape farmland, designated to be protected from large-scale development. EDDC has a statutory duty to “conserve and enhance” this landscape. This duty has been explicitly confirmed by *** Personal details have been removed ***; on behalf of the Housing Minister, *** Personal details have been removed ***; in a letter to our MP, , dated *** Personal details have been removed ***18 August 2025. The construction of a large housing estate on this site would neither conserve nor enhance the National Landscape. There is no compelling reason for the proposed industrial units to be located on this land. More appropriate and logical alternatives exist, including the Liverton Trading Estate directly opposite or site Exmo-18, both of which share the same landowner. The proposed vehicle access road would cut directly across the existing Exmouth–Budleigh cycle and footpath and would require the removal of mature trees and hedgerows. This well-used route provides safe, peaceful access for cyclists, dog walkers, children, recreational walkers, wheelchair users, and people using mobility scooters. Its loss or disruption would be dangerous and would represent a significant erosion of a valued and tranquil amenity within the National Landscape. Additionally, the landowner has recently terminated the lease of nearby National Landscape pastureland adjacent to Exmo-17. This raises concerns that approval of this development could set a precedent, leading to a “domino effect” of further estate developments on irreplaceable protected landscape. Historic Environment The proposed development would be in close proximity to Littleham’s medieval church, where Lady Nelson is buried, and to an old farmhouse on the site perimeter, the age and historic significance of which require further assessment. The fields at Exmo-17 are also clearly visible from the South West Coast Path along the World Heritage Jurassic Coast. Development on this scale would cause significant harm to the historic and scenic setting of this internationally important landscape.

Full name: Gillian and Michael Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We would like to register our objections to Exmo 20 as a property owner in Budleigh Salterton.

1.The Sewage issue in Budleigh is already make National news it's leading to polluted beaches which damages tourism reputation any developments will bring further shame to this area of Devon.

2. concerned over the huge impact on the already too busy congested roads in particular the B3179 which is a small insanely busy road that is also frequently used by cyclists -anymore traffic would increase risk to life. Budleigh itself has limited parking in the summer and a tiny High Street that is very often impassable to locals as it is.

3. We also object that this project is so close to a Site of Scientific Interest and will destroy so much of the good work seen to support wildlife in this area of Devon.

Full name: Patricia Anne Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b, (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paras 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet shown to be achievable and viable; the mitigation strategy states "it was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the plan HRA states "there is an inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03/09/24 (without option to reconsider), with the draft local plan approved on 11/12/24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30/01/25 HRA, contrary to CJEU "People over the Wind". Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Patricia Anne Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of EXMOUTH-20 is in conflict with paragraphs 16c, 32, 73b (specifically footnotes 37 and 7) 180d, 180e, 181, 185a, 186b, 188 & 191c of the NPPF Dec. 2023 and is unsound & not legally compliant. It also conflicts with paragraphs 3,6, policies PB011, PB02, PB 03, PB04 and aOL02 of the local plan. It is too close to the Pebbledbed Heaths and will likely cause damage to significant habitat and wild life.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmouth-20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alice Sowman

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site

currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jane Speake

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have previously objected to this plan and would like to put forward my objection again.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but surely 'brownfield first' might be a plan to consider. The website of Friends of the Earth states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history and with this plan, the thought that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) having a significant adverse effect on the tranquil surroundings of the church and churchyard seems incredible. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

This extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 800+ houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Abigail Spence

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There are many conflict issues between occupation of this tract of land and the protected pebblebed heath. Additionally the wildlife this supports will suffer as a result of the habitat loss and predation of cats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jonathan Stanford

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo20 development will have a negative impact on Pebblebed Heaths - a SSSI, an the habitat and species that it holds. The proposed buffer is far too small. There will be problems with traffic and increased visitor numbers to the Pebblebed heaths presenting a risk to the wildlife. Access to the proposed site is dangerous and will stress the road network with access by car in the isolated location. The proposed site harms the heritage setting of the St John's church. The proposed site could make flooding worse due to the topography of the area. The proposed site is nearer to Budleigh Salterton than Exmouth centre, putting overwhelming strain on Budleigh, and does not fit with the settlement hierarchy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Marie Stephens

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo 20

I'm writing as disagree with your planning to build. The Woodbury Common is a site not just that carries layers of national and international ecological protection. Woodbury Common as we all know is a very special place for nature and biodiversity.

I personally feel it makes no sense to build on green fields. And why the need to build 700 houses, and all the infrastructure and support systems that those houses would need. where is everyone coming from? Not to mention the traffic flow with possibly up to 3000 more cars. We already have too many pot holes! There are so many other locations off much bigger roads with much easier access to Exeter. Noise and light pollution and the wildlife. Devon and the surrounding areas are getting just so built up and the roads are not equipped for it.

Keep Devon plesent lets nurn it into a crowded mess. Keep Devon untouched and local and protect our space, animals and land. No more houses!!

*** Personal details have been removed ***

Full name: Danielle Stoakes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Destruction of wildlife habitat. Unsuitable road system in the area and inability to cope with extra traffic on an already unsafe road. Sewage provision in Exmouth and Budleigh already unable to cope and pollute our sea and beaches. Encroaches on SSSI designated areas.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: No development in this area.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The destruction of nature is unforgivable. We need to think and keep as much nature as possible for future generations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: No more development until an adequate sewage system is in place to cater for extra housing.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: No more development.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I would like to hear the outcome of the project.

Full name: tim stoakes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The destruction of farmland and subsequent loss of food production from these fields will be catastrophic to the food industry in the UK and the livelihood of the families who work this land. With the destruction these plans would cause, deer and birds and countless other wildlife will loose their homes. The massive extra footfall and cars on and around the Pebblebed heaths and Woodbury common will destroy the beauty of the local area and the peace and quiet that people go to visit it for in the first place. There are no extra schools, doctors , dentists or sewerage infrastructure to cope with the new occupants while new builds in the estates merely up the road are not yet at capacity. Its just madness and is total greed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Stock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Strawbridge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to object to this development and would like it removed from the local plan. Reasons as follows:

- Large housing estates should not be built on National Landscape
- Building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes.
- The exit from the site (Exmo_17) would create traffic chaos and the access road would go straight across the much used Exmouth to Budleigh cycle path which would be dangerous.
- These large scale developments will contribute to global warming.
- The proposed increase of new dwellings in East Devon is excessive and is destroying our heritage.
- There are estimated to be over 1200 houses in Exmouth that are second homes or holiday lets. Use these instead.
- Infrastructure is unable to cope with the needs of the current population without adding thousands more.
- Exmouth can only be accessed by one main road which is insufficient to serve the current population.

- Not a valid objection in planning terms but generally we have had enough of new large scale development everywhere. I have lived here all my life and Government and local policies are ruining the area. Where are all these people coming from and my children have had to move away because they can't afford to stay!

Full name: Deborah Strawbridge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the local plan. Being adjacent to the pebblebed heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable, the migration strategy states "it was not possible to screen out a likely significant effects for other units within the EDPHSAC and SPA" and the plan HRA states "there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is , as yet, no means to mitigate or address the risk". This site was selected on 03.09.24 (without option or reconsider), with the regulations 19 draught local plan approved on 11.12.24, on the assumption that the mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation hierarchy as set out in the NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation reliant sites to select and that the plan has an over supply of housing allocations due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the North. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the competent authorities under the conservation of habitats and species regulations. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Strawbridge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the local plan. Being adjacent to the pebblebed heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable, the migration strategy states "it was not possible to screen out a likely significant effects for other units within the EDPHSAC and SPA" and the plan HRA states "there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is , as yet, no means to mitigate or address the risk". This site was selected on 03.09.24 (without option or reconsider), with the regulations 19 draught local plan approved on 11.12.24, on the assumption that the mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation hierarchy as set out in the NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation reliant sites to select and that the plan has an over supply of housing allocations due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the North. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the competent authorities under the conservation of habitats and species regulations. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Strawbridge

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Stuart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Far too large gross over development Proximity to Pebblebed Heaths

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan in total

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anne-Marie Summerfield

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To whom it may concern,

I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house, then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into

account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient

woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography make the potential cycling and walking option less viable, which is not apparent on the policy maps.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Kind regards

*** Personal details have been removed ***

Full name: louise Summers

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound. Exmo_20 should be marked blue "failed site sifting" on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site's current inclusion in the draft Local

Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound. On page 390 the SA states "Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight. On

page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Bridgette Sunman (Mrs)

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please stop the building of a huge estate and industrial buildings on our protected farmland, an Area of Outstanding Natural Beauty (now known as 'National Landscape') on the edge of Exmouth.

I feel strongly that large housing estates should not be built on protected National Landscape. Whereas building on land outside the National Landscape would be cheaper, and would make possible a bigger percentage of affordable homes.

Also, the exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users (children/elderly/cyclists/families/dogs).

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please, please, please reconsider because once the AONB and National Landscape are built upon they will be gone forever.

Full name: Chris Sunman

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to voice my objection to the designation of Exmo_17 in the draft local area plan as building land despite its status as an AONBs - or National Landscapes as they are being described now. National Landscapes seem to have the same status and protections as National Parks. They should only have large developments on them in exceptional circumstances.

While not an expert in these matters, my understanding as a layman is that development in such a precious environment should be a last resort and only considered as an option when all alternatives have been thoroughly investigated and no viable alternative site identified. One only has look across the Salterton Road to see that this is far from the case with swathes of land around the industrial estate which could easily be built on.

Could it be that the land owner, Clinton estates, is withholding access to such land in order to promote Exmo 17 as it is a more lucrative site for the development of high value homes? If so I suggest that EDDC is not following the required process and seems to have an undue interest in accommodating Clinton Estates scheme. Can we have some transparency of what is going on here and visibility of the process that leads EDDC to believe no other sites are viable?

I am given to understand that the EDDC , without any justification, recently removed a designation of Coastal Preservation area status on this land, despite hundreds of objections from residents to prepare the way for development. Why would it do this? Additionally a very misleading sign has been recently erected to suggest that the National Landscape area starts beyond the land allocated to EXMO-17. This gives a strong and incorrect visual impression that EXMO-17 is not on National Landscape land.

Furthermore, the Jurassic Coast is England's only natural World Heritage Site and recognized globally for its scientific and educational significance.

Has any consideration been given to the effect of such development on the UNESCO Jurassic Coast designation? This was inscribed in December 2001 for its outstanding universal value in geology, fossils, and landforms, not its housing estates. It is THE primary hook used for promoting Exmouth for Tourism. Hence I would argue that this places even more importance on maintaining this coastal landscape and not squandering it.

Could it be the planning strategy objective has already been decided and what we are seeing now is a pretence of public consultation to arrive magically at the preconceived outcome?

To be clear, I am not against building houses. We are told Exmouth needs affordable houses for purchase and rent (although I can't find reference to how EDDC have established the level of need). But time and time again we have seen developments claiming to give Exmouth what it needs, being sold as second homes and to private landlords with no covenants or controls on occupancy. A site such as EXMO -17 is clearly not going to be used for affordable houses. With its location and views it is going to be used for sizeable, expensive properties, unaffordable to most of the folk in Exmouth seeking a home. Equally we have seen such developments approved with clauses to provide specific assets to the environment or the community only for the developer to renege on such agreements with EDDC taking little or no action.

I have copied in other parties because of the growing concern that EDDC is bypassing key requirements in order to achieve a result that it has already agreed with Clinton Estates. It seems better to raise the issue now rather than waiting until its an establish fact, as few "mistakes" of this kind are ever corrected retrospectively!

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Hayley Sutton

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the local plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable, the migration strategy states "it was not possible to screen out a likely significant effects for other units within the EDPHSAC and SPA" and the plan HRA states "there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is , as yet, no means to mitigate or address the risk". This site was selected on 03.09.24 (without option or reconsider), with the regulations 19 draught local plan approved on 11.12.24, on the assumption that the mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation hierarchy as set out in the NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation reliant sites to select and that the plan has an over supply of housing allocations due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the North. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the competent authorities under the conservation of habitats and species regulations. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: James Sweeney

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to object to the proposed development at Exmo-17 for the following reasons:

1. Large housing estates should not be built on National Landscape - this is an area of outstanding natural beauty and as such everything possible should be done to protect it

2. Building on land outside the national landscape would be cheaper therefore making it possible to build more affordable homes which is what the area needs.

3. The exit from this proposed site will cause chaos being so close to the Liverton park junction and Capel Lane which are both already busy

4. The access road for the site cuts across the very busy and much used cycle path therefore endangering its many users - children, elderly, cyclists, families etc The road / development would also necessitate the felling of a number of mature trees

5. The National Planning Policy Framework is clear that planning decisions should contribute to and enhance the natural and local environment, including by protecting and enhancing valued landscapes. National Landscapes are afforded the highest status of protection in relation to landscape and scenic beauty, reflecting their importance under long established legislation. In practice, permission for development in or affecting these areas can only be granted by the local planning authority, a national park authority where relevant, or the Planning Inspectorate acting on behalf of the Secretary of State, and only in exceptional circumstances. I do not believe the need to develop this area is an exceptional circumstance when other sites in East Devon are available.

6. The local sewage system is already unable to cope with the needs of current houses. Additional houses built on this site will cause further pollution issues.

7. There is no reason to build the proposed industrial buildings on this land. Logically they should be built on the trading estate opposite or Exmo-18, both of which have the same landowner

Full name: Kim Tanton-Mohan

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:

Exmo_04, Lymp_14

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Exmouth 04. On the grounds that this land, known as The Lawn, is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. Some of the oldest Luccombe Oaks in the country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet EDDC have put this forward for building. As well a parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. I would also like to object to Lymp 14, the land you have to go through to get to Exmouth 04.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete the site

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmouth 04. On the grounds that this land, known as The Lawn, is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. Some of the oldest Luccombe Oaks in the country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet EDDC have put this forward for building. As well a parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. I would also like to object to Lymp 14, the land you have to go through to get to Exmouth 04.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete the site

Full name: Paul Tarry

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Trudie Tarry

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 1 Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration

of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of

recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heath and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Tarry

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Katie Taylor

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: I

have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle

routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Dr Hugh Taylor

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am contacting you to register my objection to the Exmo_20 proposal for 700 more homes on green land just outside Exmouth. This would place an even greater strain on what are already inadequate levels of infrastructure such as sewerage and roads as well as services such as healthcare, education etc. Exmouth has seen a very rapid growth in housing over recent years without any upgrades to services etc. To add a further 700 homes and potentially 3000 or more residents is, frankly, ridiculous. Get the necessary support infrastructure and services in place before adding to an already overburdened system. I also strongly object to yet another erosion of green space and associated natural environment.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Delete the allocation

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am contacting you to register my objection to the Exmo_20 proposal for 700 more homes on green land just outside Exmouth. This would place an even greater strain on what are already inadequate levels of infrastructure such as sewerage and roads as well as

services such as healthcare, education etc. Exmouth has seen a very rapid growth in housing over recent years without any upgrades to services etc. To add a further 700 homes and potentially 3000 or more residents is, frankly, ridiculous. Get the necessary support infrastructure and services in place before adding to an already overburdened system. I also strongly object to yet another erosion of green space and associated natural environment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete the allocation

Full name: Jessica Taylor

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7)180d, 180e, 181,185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/ cycling being a likely first

choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km onsite driving every time residents went anywhere and returned home. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath

SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jessica Taylor

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7)180d, 180e, 181,185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/ cycling being a likely first

choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km onsite driving every time residents went anywhere and returned home. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath

SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jessica Taylor

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7)180d, 180e, 181,185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

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SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Katherine Thoburn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently propose as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI, it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the 1st Regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation to Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to 1st Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been

taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Brenda Mary Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that

“The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

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Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.”

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There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

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Delete Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

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Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_20

Full name: Paul Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography

makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Roger and Veronica Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We strongly object to plan EXMO-20 for many reasons. 700 new house development in an area of outstanding natural beauty is disgusting. The change to the area will be immense. The amount of traffic on the B3179 will be dreadful, more pollution and disruption. The wild life would be badly damaged and the Pebblebed Heaths. It would increase the sewage badly and the flood risk is severe. The town of Budleigh Salterton does not need extra population for the doctors, school etc etc. We hope our objections will be listened to.

Full name: Reuben Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their

website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Ref page 88 – Vehicular Access Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via an extremely convoluted route to and from the proposed southern site, access point, Southern Wood. The topography of the proposed access to/from the southern site could be considered quite challenging for both cyclist and walkers (despite the belief that they are both considered good for your health and wellbeing) who are likely opt for other forms of transport, rather than risk their lives on the proposed safe routes for pedestrians and cyclist alike. To allow public transport access via the southern site access point would significantly add to the already congested Southern Wood, Meadow View Road and Dinan Way access route.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation conflicts with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188-figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation conflicts with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation conflicts with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. The topography of the proposed site in itself would be considered quite challenging for both cyclist and walkers (despite the belief that they are both considered good for your health and wellbeing) who would likely opt for other forms of transport, increasing the burden on the local transport infrastructure

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. Added to that, the runoff of water into the Withycombe Brook over the past years has increased in volume, causing marked erosion of the brook, including (with potential danger to houses already lining the brook) erosion around the bases of the large trees that line the bank at the lower end of the site. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible

to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of these falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, whilst opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo-20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain, and unpriced highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths, plus with the additional cars (which will be extremely noticeable) on our already heavily congested roads through the town (s) highlight the unattainable nature of the site for both people and the climate. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states, “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. unpriced I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland

SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation conflicts with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188-figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation conflicts with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation conflicts with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. The topography of the proposed site in itself would be considered quite challenging for both cyclist and walkers (despite the belief that they are both considered good for your health and wellbeing) who would likely opt for other forms of transport, increasing the burden on the local transport infrastructure.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. Added to that the runoff of water into the Withycombe Brook over the past years has increased in volume, causing marked erosion of the brook, including (with potential danger to houses already lining the brook) erosion around the bases of the large trees that line the bank at the lower end of the site. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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5. Development in the Towns and Villages

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible

to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo-20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Barrie Thomas

Proposal:

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of these falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, whilst opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain, and unpriced highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths, plus with the additional cars (which will be extremely noticeable) on our already heavily congested roads through the town (s) highlight the unattainable nature of the site for both people and the climate. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states, “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. unpriced I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo-20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland

SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan - argument Health and well-being. In terms of health and well-being, the NPPF emphasises the importance of creating healthy and sustainable communities. The lack of school places , GP surgeries and the additional cars (that will be extremely noticeable) on our already heavily congested roads through the town (s) highlight the unattainable nature of the site for both people and climate, contravening the EDDC's own Climate Emergency Action Plan and pledge to achieve carbon neutral council by 2040. This application fails to address these important point

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Do not access the site via Southern Wood. Vehicular access to the site via Meadow View Road and Southern Wood are already congested roads, with private vehicles parked on pavements through many areas, pedestrian access with prams and mobility scooters are forced into the road to pass.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the Exmo_20 allocation from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kara Thorne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I object to the development of land at Exmouth known as Exmouth 04 or the Lawn. The land is a wildlife corridor and is home to many endangered species as detailed in the ecological report. Many of these are on the red list. There are many ancient trees on site. No doubt these will be deemed dangerous and removed if planning is approved.

As well a parkland there is narrow field with ancient woods each side. There is a stream which runs underground through the middle of the field. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_04

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

object to the development of land at Exmouth known as Exmouth 04 or the Lawn. The land is a wildlife corridor and is home to many endangered species as detailed in the ecological report. Many of these are on the red list. There are many ancient trees on site. No doubt these will be deemed dangerous and removed if planning is approved.

As well a parkland there is narrow field with ancient woods each side. There is a stream which runs underground through the middle of the field. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_04

Full name: Mrs Nicola Tilley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mrs Nicola Tilley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mrs Nicola Tilley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mrs Nicola Tilley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Adrian Toole

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Resident's comments on inclusion of Exmo-17 in Local Plan:

- Large housing estates should not be built on protected National Landscape
- Building on land outside the National Landscape would be cheaper, making possible a bigger percentage of affordable homes
- The single highway exit from this site would create traffic chaos
- The access road would have to go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users (children/elderly/cyclists/families/dogs)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and

HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will

also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Emily Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Edward Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The plan was originally dismissed, this was the correct decision. Remove ex20 from the development plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Paul Edward Turner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Think again

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara vernon

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to oppose the Exmo20 planning application. The reasons for my opposition are:- The infrastructure is in no way fit for increased housing in Exmouth. The sewage system is already overloaded with far more spillages than the sea and environment should have to cope with. This is a holiday destination and when visitors realise the sea is a sewer the holiday trade with disappear. That will impact our restaurants, cafes and attractions. The road system can barely manage now. I was born in Exmouth, and ever since I can remember the road to Exeter was going to be improved. This has not happened apart from Clyst St George to Clyst st Mary. Has anyone researched the number of houses already for sale in the area? Do we need anymore? Where are these home owners going to work? Where are the children going to go to school? What arrangements are being put in place for medical care? This is all part of planning! The government may say we need more housing but they don't need to be all in East Devon. Exmouth and Exeter have been spoilt by the characterless housing estates that have been built. Call a halt, sit back and take a good look at what is really required.

Full name: Mark vinnicombe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to formally and strongly object to the proposed large-scale residential and industrial development on site EXMO_17 within the current Local Plan Review. This site falls within the boundaries of a legally designated National Landscape (formerly an Area of Outstanding Natural Beauty - AONB), and your duty, as confirmed by the Housing Minister's representative, is to 'conserve and enhance' this precious environment. The construction of hundreds of houses and industrial units constitutes wholesale destruction, not conservation or enhancement. My objections are based on the following critical points detailed in the relevant chapters of the Local Plan review:
Chapter 12: Landscape and Environmental Protection

- **Destruction of National Landscape:** This site is a large, irreplaceable area of protected farmland. The removal of its Coastal Preservation Area status by EDDC, despite widespread resident objection and lack of clear justification, is unacceptable. Building a vast estate here is a direct contravention of the statutory duty to protect the National Landscape.
- **The Precedent of Development Creep (Domino Effect):** I am extremely concerned that the approval of this application would set a dangerous precedent for future, successive developments. If EXMO_17 is approved, I fear it will mark the beginning of systematic encroachment on our National Landscape, eventually escalating from hundreds of houses to potentially thousands, a pattern that has been observed in other developments across Exmouth. The recent termination of the lease on adjacent National Landscape pastureland by the landowner strongly suggests they are hoping for this "domino effect" and planning further estates on our irreplaceable protected land.

- **Irresponsible Industrial Zoning:** There is no logical or justifiable reason to place industrial units on this protected landscape when sites such as the existing Liverton Trading Estate or the adjacent site EXMO_18 (both reportedly under the same landowner) are available and more appropriate.
- **Destruction of Tranquil Amenities:** The proposed access road would run directly across the well-used, peaceful Exmouth to Budleigh cycle/foot path. This action would necessitate the felling of mature trees and bushes, destroying a vital, safe, and tranquil amenity used by cyclists, dog walkers, children, and people with mobility issues. This represents an indefensible loss of amenity within the protected landscape.
- **Visual Impact:** These fields are a crucial part of the viewscape from the World Heritage Jurassic Coast path, and their destruction will cause significant visual harm to this globally important area. Chapter 11: Sustainable Transport and Air Quality
- **Severe Traffic Congestion:** The proposed estate would inject an estimated 800 to 900 additional vehicles onto local roads. The main access is slated to be directly opposite the Liverton Trading Estate—an existing, notorious bottleneck.
- **Increased Pollution:** The proposed new roundabout and two pedestrian crossings on the main route in and out of Exmouth will cause significant traffic holdups and delays. This will lead to increased idling and air pollution in an already busy area, directly contradicting sustainable development goals.
- **Poor Job Connectivity:** The transport options for future residents heading to Exeter (where most employment is centred) are extremely poor, requiring a lengthy drive, or a multi-stage, infrequent journey involving two buses or a bus and a train. This lack of practical public transport actively encourages car use. Chapter 8: Housing Needs and Tenure
- **Failure to Meet Local Need:** The true housing need in Exmouth is for mixed-tenure housing, particularly for social rent homes to support local, low-waged families.
- **Displacement, Not Provision:** The vast majority of houses proposed for this prime site are projected to be high-end properties, likely to be purchased by people moving into the area, doing little to address the existing local affordability crisis.
- **Affordable Housing Doubt:** Past development experience gives little confidence that the stated number of "affordable" homes will actually be delivered or maintained as proposed. In conclusion, the development of EXMO_17 is fundamentally unsustainable, environmentally destructive, contrary to your statutory duty to conserve and enhance the National Landscape, and presents a severe risk of setting a precedent for further, destructive expansion into protected land. I urge you to remove site EXMO_17 from the Local Plan and pursue alternative, brownfield, and less environmentally sensitive sites

to meet housing targets. I look forward to receiving confirmation that my objection has been recorded.

Full name: Mark vinnicombe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

- Breach of Habitat Regulations: The allocation fails the 'Appropriate Assessment' test under the Conservation of Habitats and Species Regulations 2017. The Council's own HRA (dated 30.01.25) admits it cannot mitigate the impact on the Pebblebed Heaths SAC/SPA. Under the 'People over Wind' ruling, the Council cannot legally include a site where mitigation is not already shown to be 'achievable and viable.'
- Failure of the Precautionary Principle: By selecting a site with known, unmitigated risks to European protected species (like the Nightjar), the Council has failed in its duty as the Competent Authority.
- Procedural Unsoundness (NPPF Para 32): The Council failed to follow the Mitigation Hierarchy (Avoidance > Mitigation > Compensation). There are other viable sites that do not require this level of complex habitat mitigation, making the selection of EXMO_20 legally unjustifiable.
- Duty to Consult: The Council has ignored the categorical objections from statutory bodies including Natural England, Historic England, and the Devon Wildlife Trust. Proceeding against the specific legal advice of these bodies regarding the protection of the Grade II* Church and the Heaths constitutes a failure of the legal process in plan-making

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I strongly object to the inclusion of EXMO_20 in the Local Plan. The allocation is unsound, not legally compliant, and in direct conflict with the NPPF (Dec 2023) and

multiple Local Plan policies (PB01-PB04, TR01, OL02). My specific objections are as follows: 1. Failure of Habitat Protection (Legal Non-Compliance) The site is adjacent to the Pebblebed Heaths SAC/SPA/SSSI. The HRA (30.01.25) admits that growth exceeds threshold levels and no viable mitigation strategy exists. Proceeding without "reasonable scientific certainty" regarding mitigation (e.g., cat predation, nitrogen deposition, and recreational pressure) violates the "People over Wind" and "Dutch N" legal rulings. The 400m buffer is insufficient for ground-nesting birds like the Nightjar. 2. Irreversible Heritage Harm (NPPF Para 206) Development would encircle the Grade II listed St John in the Wilderness Church*, destroying its "wilderness" setting and tranquil, dark-sky character. Historic England has expressed significant concern regarding this "considerable harm" to an asset of the highest significance. 3. Lack of Sustainable Access & Transport (NPPF Para 114) There is no viable access. Primary access via the B3179 is uncoded, unconfirmed by Highways, and would send heavy traffic directly along the boundary of protected heaths, increasing air pollution. The site is isolated—2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth—making car dependency mandatory and violating Policy TR01. 4. Environmental Degradation & Flood Risk The site is within Strategic Nature Area 368. Development would fragment ancient woodland and veteran trees, undermining the Local Nature Recovery Strategy. Additionally, the LPA has failed to apply the sequential test for flood risk; developing this greenfield site risks increased runoff into the Withycombe Brook, threatening downstream residents with fluvial flooding. 5. Flawed Selection Methodology & Data The LPA's Site Selection Methodology (May 2022) originally ruled out sites within 400m of the Heaths; the retrospective change to justify EXMO_20 is unsound. Furthermore, the housing figures rely on outdated ONS data, resulting in an over-supply that negates the "overriding need" required to justify such ecological harm. Conclusion EXMO_20 must be removed from the Local Plan. I reserve the right to comment further should a revised HRA or mitigation strategy be provided.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove site EXMO_20 entirely from the Local Plan as it is unsustainable and legally non-compliant due to unmitigable impacts on the Pebblebed Heaths SAC/SPA. • Revert the settlement boundary to its previous position (20b) to maintain the essential rural buffer between Exmouth and the Pebblebed Heaths. • Exclude the 400m buffer zone adjacent to the Pebblebed Heaths from any future development plans to prevent irreversible damage from domestic predation (cats) and recreational pressure. • Remove proposed site access via the B3179 and Southern Wood, as these are unviable and would send high-

volume traffic through protected habitats. • Recalculate housing targets using the most recent mandatory ONS data to remove the current "over-supply" which is being used to justify the destruction of this sensitive site.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The allocation is legally non-compliant under the Conservation of Habitats and Species Regulations 2017 and the 'People over Wind' ruling. It is unsound as it fails the NPPF Para 32 Mitigation Hierarchy and ignores the expert advice of Natural England and Historic England."

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Trevor Waddington

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 and 7) 180d, 180e, 181, 185a, 186b, 188 and 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kathryn Wainwright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I write in regard to the proposed development, I strongly believe that the building of this development should not take place on National Landscape. Would not the building development, if built on land outside National Landscape, be more cost effective and thus enable the building of more affordable homes percentage wise? Affordable homes are vitally important in our local area. In addition, the exit for this site would, in my opinion as a regular driver and user of the cycle and footpaths, create traffic chaos in the area and endanger users of these footpaths in particular which are used by children, elderly and families.

Full name: sandra walford

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: sandra Walford

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: reducing the size of exmo20 and move the settlement boundary away from the pebblebed heath. There must also be a guarantee of a proficient amount of affordable housing within the development not off site.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: A Walker

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Proposal conflicts with many aspects of NPPF Dec 2023 and policies PB01, PB02, PB03, PB04 and OL02 of the local plan. New developments should be close to existing settlements where there is access to public transport, shops, schools, doctors etc. The distances to Budleigh Salterton and Exmouth are not sustainable in planning terms. There is no public transport available and the existing access to Dalditch Lane is very dangerous for vehicles. The new development would make the road even more dangerous as each dwelling is likely to have at least one vehicle. The number of people using the nearby pebble heath commons would increase considerably. Many people who move or live in the area have dogs which are very detrimental to the wildlife posing a severe threat to some rare species. The infrastructure in Exmouth namely traffic, parking, sewers, medical services is already at full stretch and adversely affecting the existing residents. The development's overwhelming long term issue however may be increasing the flood risk. The amount of extra rainfall now being experienced will not be absorbed by building in the proposed area.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: David Walsh

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I totally reject the Exmo20 plan of building 700 homes on the grounds of the

1. Destruction of National Landscape.
2. Close to Pebblebed heath
3. Insufficient infrastructure (Sewers and surface water drainage)
4. Lack of school places
5. Lack of Doctor Surgery's
6. Increase of traffic on the Budleigh to Exeter road (which is a dangerous road
7. The destruction of a beautiful part of Exmouth and the destruction of wild animal habitat

I am totally aghast and shocked that this council is planning to destroy this beautiful part of Exmouth Shame on you.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: It would be better to put a few houses tacked on to villages and towns than destroy Exmouth.

Full name: David Walsh

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: David Walsh

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The first objective of the site is stated as 'to accommodate A. Social and Community facilities'. No outline specifications what these facilities are required to be is given. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving everytime residents went anywhere and returned home. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Use the latest ONS data to calculate the required housing allocation -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jack ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objective Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Frank Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objective Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan and therefore do not access the site via southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the local community concerns and libving conditions are considered

Full name: Sarah Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sarah Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove XO_20 from the local plan and in doing so do not access the site via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that the points made are heard and considered, locals knowing the area will have more objective comments about the site

Full name: Sarah Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local plan and in doing so, do not access the site via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Sarah Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from your local plan and in so, do not access the site via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that all points are considered and the local community is heard, they see the day to day living/operations/traffic/wild life etc.

Full name: David Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This area should not be developed upon, we need some green space left in Devon and the infrastructure - especially the roads and sewerage system in this area are not capable of coping with hundreds more houses. Raw sewage is regularly dumped locally in the sea by SW Water who can't cope with current output and if you've tried to drive from or to Exeter from budleigh at busy times you would know how congested the traffic is on inadequate roads. Specific objections are: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear

justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by

increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland

SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil

surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge

East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is

assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Wasson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: If the mineral area is to be excluded, why show it in the whole mapped out area proposed for development. Also, if you show the whole dedicated area for exmo 20 how can you actually ensure development is concentrated in the south of the area? The current traffic lights at the new Dinan Way junction on the main Exmouth to Exeter road shows just how much of a traffic bottleneck there will be heading towards the B3179 with the vast additional number of cars currently travelling this way, only made worse if exmo 20 goes ahead. exmo 20 really is a badly drawn up policy

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Laura Watson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This development will have a significant bad impact on the pebblebedheath, wildlife, traffic congestion and local services. This is not suitable for a local plan and most of the people who will benefit from this will be outsiders.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove from the local plan, it's far too big and imposing on the town.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Dr J Oliver Watts

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I add my name to object against the EXMO20 development proposal in the draft Local Plan. Like many others, the Commonplace portal has confused and confounded my attempts to object through that, so please register this email in lieu of your preferred consultation method.

I ask you to remove EXMO 20 in its entirety from the Local Development Plan. You will be well aware of all of the issues raised in the attached document, which include issues from national organisations including the RSPB, regional experts including the Devon Wildlife Trust, and local concerns such as those from the Otter Valley Association.

There is little need to reiterate all of this expert, science based and comprehensive judgement against EXMO20.

My particular objections concern nature and environment. You will know that the UK has a biodiversity crisis, recognised by Defra and with Natural England reporting that nearly 1 in 6 English species are threatened with extinction (State of Nature report). The importance of the EXMO 20 area in buffering national and international biodiversity sites cannot be over-estimated. The area itself is of immense biodiversity value, including UK BAP Priority Habitat such as Woodland Pasture: you will be aware that Priority Habitats are of principal importance for biodiversity in Section 41 of the NERC Act. UK Red List species use the site, including yellowhammers, greater horseshoe and Barbastelle bats, and dormice - you'll be aware of much more detail in the Ecological Report

25/00718/MOOR. Biodiversity Net Gain cannot address the damage and loss of habitat that EXMO 20 would bring to our particular area.

I'm also aware that EDDC data for housing need has been questioned and that 17,000 houses are estimated to be required, rather than 20,909: a 19% reduction in perceived need. The allocation of land for housing should also take account of the land already banked by house builders not just in EDDC but across Devon county, rather than providing new land for the entire allocation. The impact of EXMO 20 within the National Landscape will inevitably destroy the landscape value of this, and surrounding area, once and for all, contrary to the objectives of the National Landscape designation.

I endorse the considerable concern for water and sewage provision, with the current lamentable infrastructure shortcomings resulting in the town losing its bathing water quality status, and little being done to remedy the situation. Major water and sewage upgrading is required to cope with extra demands of significant new housing, which South West Water appears unable to provide.

In conclusion, I reiterate my request, made in view of compelling evidence, that EXMO 20 is removed from the Local Plan

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

add my name to object against the EXMO20 development proposal in the draft Local Plan. Like many others, the Commonplace portal has confused and confounded my attempts to object through that, so please register this email in lieu of your preferred consultation method.

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There is little need to reiterate all of this expert, science based and comprehensive judgement against EXMO20.

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I'm also aware that EDDC data for housing need has been questioned and that 17,000 houses are estimated to be required, rather than 20,909: a 19% reduction in perceived need. The allocation of land for housing should also take account of the land already banked by house builders not just in EDDC but across Devon county, rather than providing new land for the entire allocation. The impact of EXMO 20 within the National Landscape will inevitably destroy the landscape value of this, and surrounding area, once and for all, contrary to the objectives of the National Landscape designation.

I endorse the considerable concern for water and sewage provision, with the current lamentable infrastructure shortcomings resulting in the town losing its bathing water quality status, and little being done to remedy the situation. Major water and sewage upgrading is required to cope with extra demands of significant new housing, which South West Water appears unable to provide.

In conclusion, I reiterate my request, made in view of compelling evidence, that EXMO 20 is removed from the Local Plan

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_20

Full name: Jacqui Well

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jacqui Well

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Weller

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am very concerned about the proposed Local Plan particularly the proposal in it to build more than 400 houses and industrial units on the fields to the immediate East of Littleham church, Exmo_17 (National Landscape). This proposal would have a negative effect on Exmouth in many ways. The area is part of an Area of Outstanding Natural Beauty (or National Landscape) and is one of the major attractions of Exmouth and particularly the eastern edge of the town. National Landscapes are also regional and national assets and should be protected as such. Building on them on this scale should be very much a last resort. There is a briefing document dated November 2024, Guidance for Local Planning Authorities, produced by the National Landscapes Association which makes this very point and indeed in stronger terms. It states that Section 85 of the Countryside and Right of Way Act 2000 (as amended by the Levelling-up and Regeneration Act2 in December 2023) requires ‘relevant authorities’, in exercising or performing any function that affect AONBs in England, to “seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.” It states that this is a ‘statutory duty’, not discretionary, and is a strengthening of the previous ‘duty of regard’. When it comes to site allocation, the guidance states that if promoting a site allocation would not align with the duty to seek to further the conservation and enhancement of natural beauty, then consider amending or deleting a site allocation (For example, choosing NOT to allocate a particular site within or close to the AONB boundary)

It is extremely difficult to see how building 400 odd houses and industrial units on the AONB is in any way seeking to further the conservation and enhancement of the natural beauty of the AONB. In fact, clearly it is doing the opposite and therefore it would seem to me East Devon would be failing in its statutory duty if it were allow this allocation to remain in the plan.

As far as I can see the plan as a whole is very weak indeed on the question of AONBs. In its calculations and projections it seems to ignore the fact that planning and development in AONBs are totally different to in none-NL areas. Both areas seem to be just lumped in together. This seems particularly significant in an area like East Devon as it has such a high proportion of AONB land. This must call into question as to whether or not the plan as a whole can be considered a reliable enough document to underpin so many planning decisions for such a long period of years. The Protections on National Landscapes. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest' National Landscapes Association Alongside the NPPF (National Planning Policy Framework) is the strengthened Protected Landscapes Duty outlined in Section 245 of LURA 2023. This duty creates an obligation amongst public bodies and statutory bodies to 'seek to further' the purposes of Protected Landscapes whenever exercising functions that affect land in these areas, a change to the previous wording which necessitated relevant authorities needed only to 'have regard to' these purposes. This change necessitates proactive measures be taken rather than the more passive action that preceded it. The purposes of National Landscapes are to 'Conserve and enhance the beauty of the area. *** Personal details have been removed ***', Housing Minister, in a letter to *** Personal details have been removed *** MP Development within a National Landscape is not prohibited, but great policy weight is given to conserving and enhancing the landscape and scenic beauty within these designations. This weight is strengthened by the Levelling Up and Regeneration Act 2023, which places a duty on all relevant authorities, including Local Planning Authorities, to seek to further the statutory purposes of the area. Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes was published by Defra on 16th December 2024. A high level of protection for National Landscapes is also reflected in EDDCPlan Policy OL02. This states that, "A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and; C. Any relevant National Landscape Management Plans will be a material consideration in

decision-making. We will be reminding the Local Planning Authority of their policies and duties around Coastal Protection Areas and National Landscapes, respectively, in our response to the Regulation 19 consultation. I thank you for your consideration in this important matter.

Full name: deborah weller

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: deborah weller

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Weller

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to raise the following objections to building on Exmo_17 (National Landscape)

Chapter 8: Housing Needs: The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages to make housing affordable for local people.

Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area.

If estates were built outside the National Landscape, the land would be cheaper, giving scope for building a bigger percentage of the affordable/rentable houses we need.

Past experience tells us that the number of affordable houses will almost certainly be fewer than proposed, putting profits over people.

Chapter 11: Sustainable Transport: The proposed estate on Exmo_17 would bring a further estimated 800-900 vehicles onto local roads.

The access road would be directly opposite the Liverton Trading Estate, which is a well-known dangerous and uncontrolled bottleneck with queues of cars waiting to exit.

A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth.

Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress.

To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to use an unreliable bus service plus a frequently delayed or cancelled train.

Chapter 12: Landscape: Exmo_17 had two protections until EDDC, without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents.

It is a very large, precious area of National Landscape farmland that is protected against large-scale developments.

EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***) has confirmed this in a letter to our MP, (***) Personal details have been removed (***) of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it.

There is no reason to build the proposed industrial units on this land.

Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes.

This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters.

I believe that this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17.

Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

Chapter 15: Historic Environment: The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried.

There is also an old farmhouse on the perimeter.

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast.

Full name: ant weller

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jackie West

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Exmo_08, Exmo_16, Exmo_17

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We would like to express our very strong objections to the new homes planned for Littleham!

Firstly, Exmouth is already struggling with sewage problems - these new homes will only add to the problem. Secondly, have the planners/developers/council thought of all the extra stress this will add to the already busy doctors/dentists and local schools? Probably not, as no matter what local residents say, their views seem to be taken in total disregard.

This area is classed as an Area of Outstanding Natural Beauty! How come they are allowed to get planning for so many houses.

We have a whole estate of new homes being built at Goodmores, Dinan Way - already adding to what I've said above. Why does no-one listen to the obvious!

Exmouth does NOT NEED ANY MORE NEW HOMES no matter what the developers say. Please listen to the objectors.

I do hope this email is read and not deleted into the junk mail folder!

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Mr. & Mrs. M. J. White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The above Local Plan has serious omissions, and the following points are inadequately mentioned. Additional housing development must recognise the pressures and demands on existing services as listed below, and make provision for additional needs of the many extra residents. This must be included in any Local Plan.

Any planning permission for additional housing in Exmouth for development schemes of 100 or more dwellings must have the following requirements:

- additional provision/capacity for doctors' surgeries;
- additional provision for schools in all age groups;
- detailed provision showing the capacity for sewage disposal;

All of the above must be quantified according to and in proportion to the number of dwellings.

Full name: Joannah Whiteley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joannah Whiteley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Greatly Reduce the size of Exmo_20 Donot access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: L Whyte

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heath and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has

not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". -----

LIST OF POLICIES REFERRED TO IN SUGGESTED OBJECTIONS (FOR YOUR REFERENCE ONLY) National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites

which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 170b states that development should not increase flood risk elsewhere Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where

assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable

due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Karen Williams and Michael Williams

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am objecting strongly to above proposed development Due to the damage to special site of scientific interest and destruction of national landscape, and also loss of good agricultural land. Increased food miles due to loss of agricultural land Increased risk of flooding due to runoff due to concreting over fields Narrow roads leading to traffic congestion. Bottleneck on A376 Exeter to Exmouth. Insufficient infrastructure...potholes due to lorries HGVs Insufficient sewage systems to cope with more houses Pollution on beaches, damage to Tourism Insufficient schools, GP surgeries, increased pressure on the Royal Devon and Exeter university Hospitals trust.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This must not proceed

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to formally object to the inclusion of the Exmo_20 allocation in the East Devon Local Plan. I contend that this allocation is unsound and not legally compliant due to significant environmental risks, unsustainable traffic implications, inadequate infrastructure, and direct conflicts with both the National Planning Policy Framework (NPPF) and the Council's own Local Plan policies. My objection is based on the following grounds:

1. Severe Environmental Impact and Habitat Loss The proposed site is adjacent to the Pebblebed Heaths, an Internationally and Nationally designated site (SAC/SPA/SSSI). Developing this land undermines the protection of these critical habitats in several ways:

- **Failure of Mitigation Strategy:** The allocation relies on a mitigation strategy that has not yet been proven achievable. The Habitats Regulations Assessment (HRA) admits there is "currently not sufficient certainty to rule out adverse effects on integrity" regarding air quality and the Heaths. Proceeding without a confirmed strategy violates the precautionary approach required by the "People over Wind" CJEU ruling.
- **Threat to Protected Species:** The site supports the European Nightjar, a ground-nesting bird and qualifying feature of the SPA. The proposed 400m buffer is scientifically insufficient. Studies indicate domestic cats, which inevitably accompany housing developments, can roam over 2km, posing a severe predation risk where "just one event... is enough to end that nesting attempt".

- **Destruction of Strategic Nature Areas:** The entire site lies within Strategic Nature Area 368, which acts as a vital wildlife corridor and buffer between Exmouth and the Heaths. Devon Wildlife Trust has stated that development here would result in the degradation and loss of ecologically supportive environments.

2. **Unsustainable Traffic and Transport Infrastructure** The Exmo_20 allocation promotes an unsustainable dependency on private vehicles and lacks viable infrastructure:

- **Unviable Access:** The primary access is proposed via the B3179. Making this viable would require major, uncertain, and uncosted highway works that have not been confirmed by Devon County Council.
- **Air Pollution:** Increased traffic congestion on the B3179 will increase nitrogen deposition on the adjacent Pebblebed Heaths, further damaging the protected habitat.
- **Car Dependency:** The site is geographically isolated, located 2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth town centre. The topography and distance make walking or cycling unviable for accessing services, forcing residents to drive for daily needs. This directly conflicts with Local Plan Policy TR01, which mandates that walking and cycling should be the natural first choice for transport.

3. **Flood Risk and Poor Infrastructure Planning** The allocation fails to adequately address flood risks associated with the development:

- **Risk to Withycombe Brook:** The site sits above the town, with runoff flowing directly into tributaries of the Withycombe Brook, which has a history of significant flooding.
- **Failure of Sequential Approach:** The Local Planning Authority (LPA) has failed to employ the required risk-based sequential approach to site selection to avoid flood risk to people and property, violating NPPF Paragraph 170b and Local Plan Policy AR01(b)

4. **Harm to Heritage Assets** The development surrounds the Grade II listed Church of St John in the Wilderness. Historic England has warned that development here could result in "considerable harm" to the setting of this asset, which is characterised by its remoteness and dark skies.

5. **Conflict with Planning Policies** The allocation of Exmo_20 undermines specific policies designed to protect the district:

- **NPPF Violations:** The allocation conflicts with Paragraphs 180, 181, 186, and 188 regarding the protection of habitats and biodiversity. It also violates Paragraph 109 regarding sustainable transport and limiting the need to travel.

- Local Plan Policy Conflicts: PB01 & PB04: Fails to protect international and national sites and fails to rule out adverse effects on integrity. OL02: Fails to contribute to the conservation of special landscape qualities. Conclusion The inclusion of Exmo_20 is based on a Site Selection Methodology that appears to have been retrospectively altered after the original Regulation 18 process, potentially conflicting with the Nolan Principles. Because the site cannot be developed without significant, unmitigated harm to the environment and the local transport network, I urge the Council to find this allocation unsound and remove Exmo_20 from the Local Plan entirely.

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I should like to object to Exmo_20 on the following grounds.

- Risk to Withycombe Brook: The site sits above the town, with runoff flowing directly into tributaries of the Withycombe Brook, which has a history of significant flooding.
- Failure of Sequential Approach: The Local Planning Authority (LPA) has failed to employ the required risk-based sequential approach to site selection to avoid flood risk to people and property, violating NPPF Paragraph 170b and Local Plan Policy AR01(b)

The Pebblebed Heaths form part of the network of Rare Lowland Heath, home to species found nowhere else in Britain, making it critical to our national biodiversity strategy. To put 700+ houses close by runs counter to the very purpose of its protected status. We are the most wildlife depleted country in Europe. We MUST reverse this trend.

As well as Exmo-20 there are many more applications pending with potential adverse effects on this immediate area. At the last count we could get another 1744 houses around the Exmouth area, including Lymptone, Exton and Woodbury among others.

Our terrible sewage problems have not yet been dealt with. Another 1744 houses (and that's only this year's planning applications) HAS to be adding insult to injury. Before anything more is built the infrastructure should be planned for and dealt with. Therefore I should like to object to Exmo_20 on the grounds that the chaotic water and sewage services must be in order before any more building takes place.

An extra 1744 households blocking the sewage pipe work just after breakfast every day doesn't bear thinking about!

Full name: Al Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To

the Planning Policy Team, I am writing to formally object to the inclusion of the Exmo_20 allocation in the East Devon Local Plan. I contend that this allocation is unsound and not legally compliant due to significant environmental risks, unsustainable traffic implications, inadequate infrastructure, and direct conflicts with both the National Planning Policy Framework (NPPF) and the Council's own Local Plan policies. My objection is based on the following grounds:

1. Severe Environmental Impact and Habitat Loss The proposed site is adjacent to the Pebblebed Heaths, an Internationally and Nationally designated site (SAC/SPA/SSSI). Developing this land undermines the protection of these critical habitats in several ways:

- **Failure of Mitigation Strategy:** The allocation relies on a mitigation strategy that has not yet been proven achievable. The Habitats Regulations Assessment (HRA) admits there is "currently not sufficient certainty to rule out adverse effects on integrity" regarding air quality and the Heaths. Proceeding without a confirmed strategy violates the precautionary approach required by the "People over Wind" CJEU ruling.
- **Threat to Protected Species:** The site supports the European Nightjar, a ground-nesting bird and qualifying feature of the SPA. The proposed 400m buffer is scientifically insufficient. Studies indicate domestic cats, which inevitably accompany housing developments, can roam over 2km, posing a severe predation risk where "just one event... is enough to end that nesting attempt".

- **Destruction of Strategic Nature Areas:** The entire site lies within Strategic Nature Area 368, which acts as a vital wildlife corridor and buffer between Exmouth and the Heaths. Devon Wildlife Trust has stated that development here would result in the degradation and loss of ecologically supportive environments.

2. **Unsustainable Traffic and Transport Infrastructure** The Exmo_20 allocation promotes an unsustainable dependency on private vehicles and lacks viable infrastructure:

- **Unviable Access:** The primary access is proposed via the B3179. Making this viable would require major, uncertain, and uncoded highway works that have not been confirmed by Devon County Council.
- **Air Pollution:** Increased traffic congestion on the B3179 will increase nitrogen deposition on the adjacent Pebblebed Heaths, further damaging the protected habitat.
- **Car Dependency:** The site is geographically isolated, located 2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth town centre. The topography and distance make walking or cycling unviable for accessing services, forcing residents to drive for daily needs. This directly conflicts with Local Plan Policy TR01, which mandates that walking and cycling should be the natural first choice for transport.

3. **Flood Risk and Poor Infrastructure Planning** The allocation fails to adequately address flood risks associated with the development:

- **Risk to Withycombe Brook:** The site sits above the town, with runoff flowing directly into tributaries of the Withycombe Brook, which has a history of significant flooding.
- **Failure of Sequential Approach:** The Local Planning Authority (LPA) has failed to employ the required risk-based sequential approach to site selection to avoid flood risk to people and property, violating NPPF Paragraph 170b and Local Plan Policy AR01(b)

4. **Harm to Heritage Assets** The development surrounds the Grade II listed Church of St John in the Wilderness. Historic England has warned that development here could result in "considerable harm" to the setting of this asset, which is characterised by its remoteness and dark skies.

5. **Conflict with Planning Policies** The allocation of Exmo_20 undermines specific policies designed to protect the district:

- **NPPF Violations:** The allocation conflicts with Paragraphs 180, 181, 186, and 188 regarding the protection of habitats and biodiversity. It also violates Paragraph 109 regarding sustainable transport and limiting the need to travel.

- Local Plan Policy Conflicts: PB01 & PB04: Fails to protect international and national sites and fails to rule out adverse effects on integrity. OL02: Fails to contribute to the conservation of special landscape qualities. Conclusion The inclusion of Exmo_20 is based on a Site Selection Methodology that appears to have been retrospectively altered after the original Regulation 18 process, potentially conflicting with the Nolan Principles. Because the site cannot be developed without significant, unmitigated harm to the environment and the local transport network, I urge the Council to find this allocation unsound and remove Exmo_20 from the Local Plan entirely. I sincerely hope the points raised will be carefully considered. I would also expect a response back from the planning team, so I know my email has been received and read through thoroughly.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To the Planning Policy Team, I am writing to formally object to the inclusion of the Exmo_20 allocation in the East Devon Local Plan. I contend that this allocation is unsound and not legally compliant due to significant environmental risks, unsustainable traffic implications, inadequate infrastructure, and direct conflicts with both the National Planning Policy Framework (NPPF) and the Council's own Local Plan policies. My objection is based on the following grounds:

1. Severe Environmental Impact and Habitat Loss The proposed site is adjacent to the Pebblebed Heaths, an Internationally and Nationally designated site (SAC/SPA/SSSI). Developing this land undermines the protection of these critical habitats in several ways:

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- Threat to Protected Species: The site supports the European Nightjar, a ground-nesting bird and qualifying feature of the SPA. The proposed 400m buffer is scientifically insufficient. Studies indicate domestic cats, which inevitably accompany housing developments, can roam over 2km, posing a severe predation risk where "just one event... is enough to end that nesting attempt".
- Destruction of Strategic Nature Areas: The entire site lies within Strategic Nature Area 368, which acts as a vital wildlife corridor and buffer between Exmouth and the Heaths. Devon Wildlife Trust has stated that development here would result in the degradation and loss of ecologically supportive environments.

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- **NPPF Violations:** The allocation conflicts with Paragraphs 180, 181, 186, and 188 regarding the protection of habitats and biodiversity. It also violates Paragraph 109 regarding sustainable transport and limiting the need to travel.
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allocation unsound and remove Exmo_20 from the Local Plan entirely. I sincerely hope the points raised will be carefully considered.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I urge the Council to find this allocation unsound and remove Exmo_20 from the Local Plan entirely.

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to object to Planning Application Exmo_20 on the following grounds.

St John in the Wilderness Church The objection relates to the word 'Wilderness'. The huge development surrounding this Saxon settlement with its church and surrounding buildings will destroy this sense of remoteness, with dark skies and wilderness setting, which the NPPF identifies as an asset of the highest significance. Opening up this area to future pressure for development and associated harm will contribute to the never-ending expansion of this whole area around Exmouth.

Everyone agrees there should be more housing (I think) but the vast increase in housing in and around Exmouth should now stop. If you have to dig up yet more wonderful (it was) Devon countryside, THINK before you decide on using the most sensitive areas. And why always use East and South Devon as a dumping ground for disillusioned and often wealthy Londoners. In fact I feel sorry for newcomers coming to their 'dream' area. They will soon be as stressed and experience further disillusionment as the existing residents do. Traffic here is already unsustainable.

Stand up to government dictats and algorithms. There MUST be another way.

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have had great difficulty accessing the EDDC Planning website. I am therefore sending an email and would be grateful if you could let me know if you have received this comment/objection.

I would like to object to the supersized 700+ housing estate with access onto the B3197.

51 years ago *** Personal details have been removed *** chaired a small local committee whose aim was to stop two championship golf courses being built on prime common land between Hawkerland and Woodbury Castle. The application was proposed by Clinton Devon Estates and supported by Devon County Council. In 1974 *** Personal details have been removed *** and the golf courses were stopped. Woodbury Common had been saved earning huge gratitude from a delighted public. Clinton Devon Estates are justly proud of the internationally renowned Pebblebed Heaths which had so nearly been dug up and destroyed.

Are we again having to fight for the survival of this unique landscape? To build 700+ houses close to the Pebblebed Heaths is the height of folly. This development will lead to the degradation and loss of this ecologically prized area. Dogs are already a major problem on the common with dog mess often spreading out from the four car parks

which is truly disgusting. There is also a noticeable drop in riding horses on the Common as dogs frequently worry and bite their legs. Hoof prints are now also non-existent as riders are too scared to risk their horses. Wildlife is also at risk, particularly at nesting time. 700 households will surely want to exercise their dogs on the Common on their doorstep - with what result?

The LPA demonstrates a cavalier attitude and widespread failings as the Competent Authority under the Conservation of Habitats and Species Regulations.

I object whole-heartedly to this Planning Application.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete the allocation

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

have had great difficulty accessing the EDDC Planning website. I am therefore sending an email and would be grateful if you could let me know if you have received this comment/objection.

I would like to object to the supersized 700+ housing estate with access onto the B3197.

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The LPA demonstrates a cavalier attitude and widespread failings as the Competent Authority under the Conservation of Habitats and Species Regulations.

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Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted.... Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused.

The above statement fits EXMO_20 which should immediately be refused planning permission.

"Development in the Towns and Villages" Chapter 5 on 'Commonplace' platform.
Exmo_20, (700 houses) Lymp_01,(8) Lymp_07,(100) Lymp_14(59), Meeting Lane(42), Strawberry Hill(42), Exmo_17(410), Exmo_08 and Exmo_16 combined(45),Exmo_06(44), Marley Drive (50), New Police Station and housing(20+), Wood_06 (236), Exton (53). These applications in this area alone amount to an extra 1744 houses with cars, dogs, cats and people. The Exmouth Road would be almost permanently blocked with traffic. To avoid this the Dinan Way link road will be ignored and the Woodbury route used which will be hideous for the middle of the village and the consequence build up of traffic at the roundabouts at Clyst St. George. The roads and lanes to Budleigh Salterton, and the town itself, will be overwhelmed. These are the applications for this year in this small and incredibly busy area. What about the applications next year...?

There has to be some joined up, logical thinking.

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Wildlife sites 2nd Regulation 19 local plan. Policy PB01 states that international followed by nationally designated sites must be given uppermost protection.

Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts.

The Exmo_20 site would be adjacent to the Pebblebed Heaths. "A 400m buffer to the protected site does not seem sufficiently large enough to protect the site from disturbance and damage caused by increased visitor number, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape". East Devon National Landscape Partnership.

You wrote the policies - please abide by them.

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I would like to object to the Exmo_20 planning application on the following grounds.

Traffic emissions, dogs and cats and the effect of traffic on Woodbury: There will be additional nitrogen deposition from the increase in traffic arising from the new development which could prove very detrimental to birdlife and other wildlife on the Pebblebed Heaths. Dogs are at present a particular problem to wildlife when off the lead. The subsequent increase in the cat population from such a huge development close to the heaths will greatly disturb ground nesting birds.

Traffic through Woodbury: The most obvious way for traffic heading for Topsham or Exeter and beyond, from the exit onto the B3179, is to travel close to the common and down through Woodbury. A huge increase in traffic in the centre of the village of Woodbury will result in traffic jams and emissions as well as a danger to pedestrians trying to cross the road to the post office/shop, as well as residents living on Broadway. This is already a dangerous crossroads. There is no doubt that Woodbury would be very badly affected, especially as there is the potential for exits onto Globe Hill from two large housing estates either side of the hill. (Wood_06).

Traffic will also go through to the Sidmouth Road at Half Way House. As there is no roundabout (what a short sighted omission when expensive work was carried out here a

few years ago!) there will be massive traffic queues trying to get onto the Sidmouth Road or crossing the road for Ottery St. Mary and the A30.

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

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Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Florence Wilson

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles

from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals,

preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be

permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017. Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Local voices need to be heard

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Strong views of the local community need to be heard and actioned. Exmo_20 needs to be removed from the Local Plan

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Strong views and opinions of the local community need to be heard

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Local residents need to be heard

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: LOCAL VIEWS AND OPINIONS NEED TO BE ADDRESSED

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Plan has an over-supply of housing allocations. It does not use the latest ONS data which is mandatory. At present the allocation site acts as a buffer between the excessively urban area of ~Exmouth and the highly designated land to the north. Any development in the proposal would result in degradation and loss of ecologically important area just outside the site boundaries. The LPA does not adhere to the Conservation of Habitats and Species Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Excessive over-crowded, huge unsustainable rise in already traffic filled roads and lanes leading to terrible traffic jams and queues. Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then

the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan Reduce the size of Exmo_20 Do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraph 16(d). The Plan over-allocates housing because it does not use the most recent ONS data, contrary to MHCLG guidance on housing and economic needs assessment (“most recent data published at the time”). The 1,188 figure cited at paragraph 3.11 was calculated in February 2025, prior to the 2024 ONS data and is thus invalid. The figures should be revised to 1,156, 80% = 925, and a 22-year requirement of 20,342 (avoiding rounding errors)—a reduction of 567. Many policies rely on a compelling need to justify harm/impact; if the baseline numbers are wrong, the justification falls away, including under the mitigation hierarchy. Exmo_20 must therefore be removed, particularly given its multiple, unresolved mitigation dependencies affecting the Pebblebed Heaths SPA/SAC/SSSI. Additional numerical/mathematical errors in HOU-002 (Oct 2025) and HOU-001 (Nov 2025) must be corrected and re-consulted upon, as they underpin the Plan’s housing strategy. NPPF 16(d) also requires clear, unambiguous policy drafting so that decision-makers can consistently apply policies—a test the current Plan does not meet. Closing and Reservation of Rights Given the above, Exmo_20 should be deleted from the Local Plan. Its inclusion conflicts with key NPPF provisions, habitats legislation, the mitigation hierarchy, and sound plan-making practice, and it fails the tests of soundness and legal compliance. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided for the Local Plan, and request that I am notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 109 and with Local Plan policy TR01 and paragraph 11.6. The main vehicular access is ~2.3 miles from Budleigh Salterton town centre and ~4.0 miles from Exmouth town centre. This allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. The LPA has not adequately considered Budleigh Salterton when evaluating Exmo_20. Furthermore, the local topography markedly reduces the viability of walking and cycling, a constraint not evident on policy maps, thereby undermining sustainable travel objectives.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 32. The LPA appears to have retrospectively altered the Site Selection Methodology post 11.12.2024 (after Regulation 19 publication approval). The May 2022 SSM, used at Regulation 18, states at Stage 2 (Site Sifting) that only “reasonable alternatives” progress, including: (a) Site suitable, available, and achievable in the HELAA; with subtext clarifying: “It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.” A December 2024 version was then presented in the Reg 19 evidence library as if used for selection, when it was not. This undermines procedural integrity and raises serious concerns regarding adherence to the Nolan Principles, as well as the robust consideration of reasonable alternatives mandated by NPPF 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraphs 92 and 109 and with Local Plan policies TR01 and TR03, and paragraphs 3.6 and 11.2. Exmo_20 would materially increase car dependency, requiring convoluted journeys from the proposed B3179 access to reach everyday services. The Plan fails to demonstrate that regularly needed services are accessible by walking/cycling, and recent changes to TR01 mean active travel is mandatory rather than aspirational. The site's isolation and access arrangements create inherently unsustainable development, with substantial vehicle trips to Exmouth and Budleigh Salterton. If housing is focused in the southern part, residents would face at least 1km on-site driving each time they enter/leave—further entrenching unsustainable patterns.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 170(b) and with Local Plan paragraph 3.6 and policy AR01(b). The Strategic Flood Risk Assessment (Level 1) gives Withycombe Brook scant attention (only a footnote in Table 5-3), despite recorded fluvial flooding in 1960, 1983, and 2012 and numerous significant flood pathways in Exmouth. Exmo_20 is a greenfield site upslope of the town, with tributaries and runoff feeding Withycombe Brook—which traverses the most populous wards in East Devon. The LPA has not applied the required sequential, risk-based approach to avoid increasing flood risk to people and property, including current and future climate impacts.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 25, 180(d), 181, 185(a), 186(a), 186(c), 188, and 191 and with Local Plan policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11, and 13.24. Exmo_20 lies within Strategic Nature Area 368, a key buffer between Exmouth and the Pebblebed Heaths SAC/SPA/SSSI, providing supporting Nightjar foraging habitat and a wildlife corridor between the Heaths and the coast. Development would undermine the SPA's conservation objectives. Devon County Council is in the final stages of designating the site as a Local Nature Recovery Area (LNRS, publication expected March 2026) to combine and extend habitats in line with the Environment Act 2021. The site supports veteran trees, ancient woodlands, and hedgerows susceptible to fragmentation. Devon Wildlife Trust's Regulation 19 response states that the entirety of the allocation falls within an SNA of national habitat importance, and that "it is not appropriate to consider allocation of this land for development" and "not feasible to develop this site without causing significant adverse effects on the integrity of the SAC." DWT strongly urges the Council not to include this allocation. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 206 and with Local Plan policies HE02 and OL01(D). A development of this scale, encircling the Grade II* St John in the Wilderness Church and its churchyard, would irreversibly harm the area's remote, tranquil, dark-sky 'wilderness' setting, which includes a Medieval Saxon settlement landscape context. Historic England warns that much of the site lies within the church's setting, such that "considerable harm" could result to a heritage asset of the highest significance (NPPF 206(b)). HE is also concerned about the long access road from the B3179, which would itself cause harm and invite further development pressure. HE advises exploring southern access and, if evidence supports development only in less sensitive southern areas, amending the site boundary and restricting the quantum and range of uses accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 92, 114(b), 114(d), 180(e), and 181 and with Local Plan paragraph 3.6, policies TR01, OL09, PB04, and paragraph 11.2. There is no viable access to the site. The proposed primary access via the B3179 would require major, uncertain, and uncosted highway works not confirmed by Devon County Council, and the cumulative/in-combination effects on the B3179 (congestion and air pollution) must be assessed—particularly given the road runs along the boundary of the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.2025) confirms insufficient certainty to rule out adverse effects on integrity relating to air quality for the EDPH SAC/SPA. This runs counter to the precautionary approach and the mitigation hierarchy's primacy of avoidance (as embedded by the Environment Act 2021). The mitigation strategy itself recognises "Mitigation cannot be assumed without evidence (People over Wind; Sweetman)." In short, no reasonable scientific certainty has been presented to lawfully include Exmo_20. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: S Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 181, 185, 186(b), and 188 and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04. Given the site's adjacency to the Pebblebed Heaths SAC/SPA/SSSI, it is unlikely that SANG of adequate quality, scale, and geographic convenience could divert substantial recreation (dog walking, cycling, walking) away from the Heaths. As Langston et al. (2007) emphasise, a single predation event can end a nesting attempt—underscoring the need for a precautionary approach by the LPA. The RSPB's Regulation 19 response reinforces that mitigation is unlikely to avoid damaging impacts on heathland habitats and species, including additional nitrogen deposition from traffic, increased cat predation on ground-nesting birds, and recreation impacts (dogs off lead) the closer dwellings are sited to the Heaths. SANG/public open space is unlikely to be sufficient to avert damaging increases in usage. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously purposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: S Winn

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188, and 191(c) and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02. At minimum, 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded to address urban effects including cat predation. However, given evidence that cats can roam over 2km [Hall et al., 2016; Metsers, Seddon & van Heezik, 2010; HRA 4.10] and that European Nightjar is a qualifying SPA feature and Section 41 species, the precautionary distance should be materially greater than the pragmatic 400m [Underhill-Day, 2005]. As Langston et al. (2007) note, “just one event leading to predation is enough to end that nesting attempt.” Exmo_20’s inclusion rests on mitigation and HRA that do not yet support the Plan. In their absence, the Competent Authority must apply a precautionary approach, at the very least removing 400m at the interface with the designated site, acknowledging the area’s functionally linked foraging habitat for Nightjar and the likelihood of greater buffers being required to mitigate recreation pressure (dogs off lead, cycling, walking). Site-level assessments of recreation impacts have not been undertaken, necessitating strategic-level precaution. This aligns with DWT, RSPB, and East Devon National Landscape Partnership, the latter stating at Regulation 19: “A 400m buffer...does not seem significantly large enough... It also further fragments the surrounding habitat... As such, [we] support the non-adoption of this site... Or... a significant reassessment of the scale and boundary... including a reduced housing number and concentration of development closer to the existing town settlement...” Natural England further advises that policy clarity and a natural buffer in the northeast along the B3179 are required, and suggests pulling the

settlement boundary away from the SAC/SPA and securing a green buffer via S106 as “clear, sound planning.” Given the availability of alternative, less mitigation-dependent sites and a plan over-supply arising from out-of-date ONS data, Exmo_20 cannot be justified. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously purposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Tracey Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(b), 188, and 191(c) and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02. Being directly adjacent to the Pebblebed Heaths SAC/SPA/SSSI, the allocation depends on significant mitigation for habitats and species that has neither been demonstrated as achievable nor viable. The mitigation strategy acknowledges that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA concedes “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” The site selection on 03.09.2024 and the Regulation 19 approval on 11.12.2024 proceeded on the assumption that a mitigation strategy would follow, with an “appropriate assessment” only on 30.01.2025, which is contrary to the CJEU People Over Wind ruling and the precautionary approach—particularly relevant in light of the CJEU “Dutch N” rulings. Under NPPF paragraph 32, selecting sites with known mitigation dependencies demands robust justification against the mitigation hierarchy. No such step was undertaken; Exmo_20 is especially difficult to justify given the availability of multiple alternative sites with less reliance on mitigation and a plan-wide over-allocation stemming from failure to use the latest ONS data. As Devon Wildlife Trust stated at Regulation 19: “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries.” Overall, the LPA’s approach falls short of its

duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously purposed

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraph 16(d). The Plan over-allocates housing because it does not use the most recent ONS data, contrary to MHCLG guidance on housing and economic needs assessment (“most recent data published at the time”). The 1,188 figure cited at paragraph 3.11 was calculated in February 2025, prior to the 2024 ONS data and is thus invalid. The figures should be revised to 1,156, 80% = 925, and a 22-year requirement of 20,342 (avoiding rounding errors)—a reduction of 567. Many policies rely on a compelling need to justify harm/impact; if the baseline numbers are wrong, the justification falls away, including under the mitigation hierarchy. Exmo_20 must therefore be removed, particularly given its multiple, unresolved mitigation dependencies affecting the Pebblebed Heaths SPA/SAC/SSSI. Additional numerical/mathematical errors in HOU-002 (Oct 2025) and HOU-001 (Nov 2025) must be corrected and re-consulted upon, as they underpin the Plan’s housing strategy. NPPF 16(d) also requires clear, unambiguous policy drafting so that decision-makers can consistently apply policies—a test the current Plan does not meet. Closing and Reservation of Rights Given the above, Exmo_20 should be deleted from the Local Plan. Its inclusion conflicts with key NPPF provisions, habitats legislation, the mitigation hierarchy, and sound plan-making practice, and it fails the tests of soundness and legal compliance. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided for the Local Plan, and request that I am notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To Provide strong opinion

Full name: Tracey Winn

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 109 and with Local Plan policy TR01 and paragraph 11.6. The main vehicular access is ~2.3 miles from Budleigh Salterton town centre and ~4.0 miles from Exmouth town centre. This allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. The LPA has not adequately considered Budleigh Salterton when evaluating Exmo_20. Furthermore, the local topography markedly reduces the viability of walking and cycling, a constraint not evident on policy maps, thereby undermining sustainable travel objectives.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 32. The LPA appears to have retrospectively altered the Site Selection Methodology post 11.12.2024 (after Regulation 19 publication approval). The May 2022 SSM, used at Regulation 18, states at Stage 2 (Site Sifting) that only “reasonable alternatives” progress, including: (a) Site suitable, available, and achievable in the HELAA; with subtext clarifying: “It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.” A December 2024 version was then presented in the Reg 19 evidence library as if used for selection, when it was not. This undermines procedural integrity and raises serious concerns regarding adherence to the Nolan Principles, as well as the robust consideration of reasonable alternatives mandated by NPPF 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraphs 92 and 109 and with Local Plan policies TR01 and TR03, and paragraphs 3.6 and 11.2. Exmo_20 would materially increase car dependency, requiring convoluted journeys from the proposed B3179 access to reach everyday services. The Plan fails to demonstrate that regularly needed services are accessible by walking/cycling, and recent changes to TR01 mean active travel is mandatory rather than aspirational. The site's isolation and access arrangements create inherently unsustainable development, with substantial vehicle trips to Exmouth and Budleigh Salterton. If housing is focused in the southern part, residents would face at least 1km on-site driving each time they enter/leave—further entrenching unsustainable patterns.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 170(b) and with Local Plan paragraph 3.6 and policy AR01(b). The Strategic Flood Risk Assessment (Level 1) gives Withycombe Brook scant attention (only a footnote in Table 5-3), despite recorded fluvial flooding in 1960, 1983, and 2012 and numerous significant flood pathways in Exmouth. Exmo_20 is a greenfield site upslope of the town, with tributaries and runoff feeding Withycombe Brook—which traverses the most populous wards in East Devon. The LPA has not applied the required sequential, risk-based approach to avoid increasing flood risk to people and property, including current and future climate impacts.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would

obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 206 and with Local Plan policies HE02 and OL01(D). A development of this scale, encircling the Grade II* St John in the Wilderness Church and its churchyard, would irreversibly harm the area's remote, tranquil, dark-sky 'wilderness' setting, which includes a Medieval Saxon settlement landscape context. Historic England warns that much of the site lies within the church's setting, such that "considerable harm" could result to a heritage asset of the highest significance (NPPF 206(b)). HE is also concerned about the long access road from the B3179, which would itself cause harm and invite further development pressure. HE advises exploring southern access and, if evidence supports development only in less sensitive southern areas, amending the site boundary and restricting the quantum and range of uses accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 92, 114(b), 114(d), 180(e), and 181 and with Local Plan paragraph 3.6, policies TR01, OL09, PB04, and paragraph 11.2. There is no viable access to the site. The proposed primary access via the B3179 would require major, uncertain, and uncoded highway works not confirmed by Devon County Council, and the cumulative/in-combination effects on the B3179 (congestion and air pollution) must be assessed—particularly given the road runs along the boundary of the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.2025) confirms insufficient certainty to rule out adverse effects on integrity relating to air quality for the EDPH SAC/SPA. This runs counter to the precautionary approach and the mitigation hierarchy's primacy of avoidance (as embedded by the Environment Act 2021). The mitigation strategy itself recognises "Mitigation cannot be assumed without evidence (People over Wind; Sweetman)." In short, no reasonable scientific certainty has been presented to lawfully include Exmo_20. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above.

Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To provide strong opinion

Full name: Tracey Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 181, 185, 186(b), and 188 and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04. Given the site's adjacency to the Pebblebed Heaths SAC/SPA/SSSI, it is unlikely that SANG of adequate quality, scale, and geographic convenience could divert substantial recreation (dog walking, cycling, walking) away from the Heaths. As Langston et al. (2007) emphasise, a single predation event can end a nesting attempt—underscoring the need for a precautionary approach by the LPA. The RSPB's Regulation 19 response reinforces that mitigation is unlikely to avoid damaging impacts on heathland habitats and species, including additional nitrogen deposition from traffic, increased cat predation on ground-nesting birds, and recreation impacts (dogs off lead) the closer dwellings are sited to the Heaths. SANG/public open space is unlikely to be sufficient to avert damaging increases in usage. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site

originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To provide strong opinion

Full name: Tracey Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188, and 191(c) and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02. At minimum, 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded to address urban effects including cat predation. However, given evidence that cats can roam over 2km [Hall et al., 2016; Metsers, Seddon & van Heezik, 2010; HRA 4.10] and that European Nightjar is a qualifying SPA feature and Section 41 species, the precautionary distance should be materially greater than the pragmatic 400m [Underhill-Day, 2005]. As Langston et al. (2007) note, “just one event leading to predation is enough to end that nesting attempt.” Exmo_20’s inclusion rests on mitigation and HRA that do not yet support the Plan. In their absence, the Competent Authority must apply a precautionary approach, at the very least removing 400m at the interface with the designated site, acknowledging the area’s functionally linked foraging habitat for Nightjar and the likelihood of greater buffers being required to mitigate recreation pressure (dogs off lead, cycling, walking). Site-level assessments of recreation impacts have not been undertaken, necessitating strategic-level precaution. This aligns with DWT, RSPB, and East Devon National Landscape Partnership, the latter stating at Regulation 19: “A 400m buffer...does not seem significantly large enough... It also further fragments the surrounding habitat... As such, [we] support the non-adoption of this site... Or... a significant reassessment of the scale and boundary... including a reduced housing number and concentration of development closer to the existing town settlement...” Natural England further advises that policy clarity and a natural buffer in the northeast along the B3179 are required, and suggests pulling the

settlement boundary away from the SAC/SPA and securing a green buffer via S106 as “clear, sound planning.” Given the availability of alternative, less mitigation-dependent sites and a plan over-supply arising from out-of-date ONS data, Exmo_20 cannot be justified. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To provide a strong opinion across

Full name: Tracey Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(b), 188, and 191(c) and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02. Being directly adjacent to the Pebblebed Heaths SAC/SPA/SSSI, the allocation depends on significant mitigation for habitats and species that has neither been demonstrated as achievable nor viable. The mitigation strategy acknowledges that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA concedes “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” The site selection on 03.09.2024 and the Regulation 19 approval on 11.12.2024 proceeded on the assumption that a mitigation strategy would follow, with an “appropriate assessment” only on 30.01.2025, which is contrary to the CJEU People Over Wind ruling and the precautionary approach—particularly relevant in light of the CJEU “Dutch N” rulings. Under NPPF paragraph 32, selecting sites with known mitigation dependencies demands robust justification against the mitigation hierarchy. No such step was undertaken; Exmo_20 is especially difficult to justify given the availability of multiple alternative sites with less reliance on mitigation and a plan-wide over-allocation stemming from failure to use the latest ONS data. As Devon Wildlife Trust stated at Regulation 19: “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries.” Overall, the LPA’s approach falls short of its

duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To put forward a strong viewpoint

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant, as it conflicts with NPPF (December 2023) paragraph 16(d). 1. Housing need figures are incorrect and do not use the most recent mandatory ONS data The Plan is based on outdated and invalid housing need calculations, directly contrary to MHCLG’s requirement that authorities must use “the most recent data published at the time” when applying the standard method. The housing need figure of 1,188 quoted in paragraph 3.11 was calculated in February 2025, before the release of the 2024 ONS data, and therefore cannot lawfully be relied upon. Using the correct most recent ONS dataset reduces the figure to 1,156, which equates to 925 at the 80% adjustment. Over a 22-year plan period, this produces a requirement of 20,342, with no rounding distortion—representing a reduction of 567 dwellings. Because the plan has been constructed on the basis of inflated housing numbers, many policies—particularly those seeking to justify environmental harm through an asserted overriding need—are fundamentally undermined. Incorrect housing figures invalidate the Mitigation Hierarchy assessment and remove any justification for allocating highly constrained or environmentally damaging sites such as Exmo_20. 2. Exmo_20 is incompatible with a corrected housing requirement Once the correct housing need is applied, the Plan has an oversupply of allocations, eliminating any necessity for selecting high-risk, mitigation-dependent sites. Exmo_20 requires multiple, complex, and unproven mitigation strategies due to its impact on internationally and nationally designated Pebblebed Heaths SPA/SAC/SSSI. Under the Mitigation Hierarchy, avoidance must be the first step. With no demonstrable need for this site, and given the severe environmental constraints, Exmo_20 must be removed from the plan. 3. Significant numerical and methodological errors undermine the evidence base Further

numerical and methodological inaccuracies appear in the supporting evidence (HOU-002, October 2025, and HOU-001, November 2025). These documents form the foundation of the Local Plan's housing strategy. Until corrected and re-consulted upon, the underpinning evidence base cannot be considered robust or legally compliant. 4. Failure to produce clear, unambiguous policies breaches NPPF 16(d) NPPF paragraph 16(d) requires that: "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals." The use of incorrect data, contradictory evidence, and retrospectively altered figures produces a Plan that is neither clear nor transparent, and therefore fails this fundamental national policy test. Conclusion The use of outdated housing need figures, the presence of uncorrected errors in key evidence documents, the absence of any overriding requirement for Exmo_20, and the failure to apply the Mitigation Hierarchy all render the allocation unsound and not legally compliant. Exmo_20 must therefore be removed from the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Clear public opinion has not been taken into consideration by the chair and chief officer and needs a external view to ensure correct process is followed

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraph 109, and is contrary to Local Plan Policy TR01 and paragraph 11.6. 1. The allocation would create an unsustainable pattern of movement The proposed main vehicular access for Exmo_20 is located 2.3 miles by road from the centre of Budleigh Salterton and 4.0 miles by road from the centre of Exmouth. This distance, combined with the isolated siting of the access point, would inevitably result in high levels of car dependency, contrary to the requirement in NPPF 109 to promote and prioritise sustainable transport modes. 2. The allocation conflicts with the settlement hierarchy and places disproportionate pressure on Budleigh Salterton The site's proximity to Budleigh Salterton means that the town—despite its designation lower in the settlement hierarchy—would experience a disproportionate increase in traffic and demand for services. The Local Planning Authority has failed to consider the impact on Budleigh Salterton when assessing Exmo_20, despite the settlement being the closest service centre for many residents of the proposed development. This omission results in a flawed assessment and places the allocation in conflict with Policy TR01 and Local Plan paragraph 11.6, both of which require development to be located where sustainable travel and appropriate service access can genuinely be achieved. 3. Topography significantly limits viable walking and cycling options Although policy maps imply walkable and cyclable connections, the actual topography of Exmo_20 and the surrounding area—including gradients and indirect route alignments—makes active travel far less feasible in practice. This undermines any assumption that walking or cycling would form realistic alternatives to car use for accessing shops, healthcare, schools, or community services in either Budleigh Salterton or Exmouth. As a result, the

allocation directly contradicts the policy expectation that development should support a shift to sustainable transport modes. Conclusion The distance to key service centres, the inevitable rise in car dependency, the unassessed impact on Budleigh Salterton, and the practical limitations on walking and cycling all demonstrate that Exmo_20 fails to comply with NPPF paragraph 109 and relevant Local Plan transport policies.

Accordingly, the allocation is unsound and should be removed from the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Chair and chief officer need to be held to account for there clear unprofessional conduct throughout the consultation

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound, as it is in direct conflict with paragraph 32 of the NPPF (December 2023). 1. The Site Selection Methodology was retrospectively altered The Local Planning Authority has attempted to retrospectively amend the Site Selection Methodology (SSM) in order to justify the allocation of Exmo_20. The SSM dated May 2022 is the version that was actually applied to the Regulation 18 process. However, after 11 December 2024—the date on which the Draft Local Plan was approved for Regulation 19 publication—the SSM was altered, and a new December 2024 version was inserted into the Regulation 19 evidence library. This amended version was not the methodology used to select sites. Presenting it as though it were used constitutes a misrepresentation of process, raises serious concerns about transparency, and is behaviour that appears inconsistent with the Nolan Principles of openness and integrity. 2. The original SSM would not have allowed Exmo_20 to be selected The May 2022 SSM—the only legitimate methodology for the Regulation 18 stage—contains wording that clearly prevents Exmo_20 from progressing: Stage 2: Site Sifting “Only sites which meet criteria a), b) and c) are carried forward to Stage 3.” Criterion a: “Site is assessed as ‘suitable, available and achievable’ in the HELAA.” Subtext point 6: “It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA, but, if not, such sites should be sifted out at Stage 2.” Exmo_20 lies within 400m of the Pebblebed Heaths SAC/SPA/SSSI. Under the original methodology, the site should have been automatically sifted out and therefore could not legitimately proceed to the next stage of assessment. 3. Failure to follow an established, transparent, and consistent methodology breaches NPPF paragraph 32 NPPF paragraph 32 requires plan-making to follow: transparent, evidence-based, and

proportionate, consistent, assessment processes. Retrospectively amending the methodology after site selection, and then presenting that altered methodology as if it had been used, constitutes a clear procedural failure and undermines the validity of the allocation. This failure also prevents meaningful evaluation of reasonable alternatives, making the plan unsound. Conclusion Exmo_20's allocation is based on a retrospectively altered and misapplied Site Selection Methodology, contrary to the requirements of NPPF paragraph 32 for transparent, consistent and properly evidenced plan-making. The legitimate methodology used at Regulation 18 explicitly ruled out sites within 400 metres of the Pebblebed Heaths SAC—meaning Exmo_20 should never have been taken forward. For these reasons, Exmo_20 is unsound and should not be allocated or reverted back to 20b as previously proposed

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert back to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Chair and Chief officer have been clearly dismissive of strong public opinion in constant unprofessional manner

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraphs 92 and 109, as well as Local Plan policies TR01 and TR03, and with paragraphs 3.6 and 11.2 of the Local Plan. 1. The allocation would generate unsustainable travel patterns Exmo_20 is located in a position that would substantially increase car dependence, directly contrary to NPPF paragraph 92 (supporting healthy, inclusive, safe places) and paragraph 109 (prioritising sustainable transport). The proposed primary access onto the B3179 requires residents to take a convoluted and extended route to reach essential services and facilities. This layout encourages car use rather than discouraging it. 2. Walking and cycling access to services has not been demonstrated No evidence has been provided to show that residents could realistically access regular, day-to-day services on foot or by bicycle. This is a fundamental deficiency, particularly because the Local Plan's revised Policy TR01 now treats walking and cycling as a mandatory first-choice mode of travel, rather than an optional or desirable one. The isolated siting of Exmo_20 and its distance from key services means the allocation cannot comply with the Local Plan's sustainable transport policies. 3. The proposed access via the B3179 embeds car dependency The B3179 access point places residents at a significant distance from both Budleigh Salterton and Exmouth. As housing is proposed within the southern extent of the site, access via the B3179 would require: at least 1 km of internal vehicle travel before reaching the site exit, followed by further driving to reach any meaningful service provision. This design is inherently car-centric and incapable of supporting modal shift to sustainable transport, in direct conflict with NPPF paragraphs 92 and 109 as well as policies TR01, TR03 and Local Plan paragraph 11.2. Conclusion The allocation of Exmo_20 would lock in unsustainable

travel patterns, increase private car usage, and undermine both national and local sustainable transport objectives. It fails to provide good access to services by walking or cycling, relies on an inefficient and remote access point, and is incompatible with policies requiring development to prioritise sustainable modes of travel. Accordingly, the allocation is unsound and should be removed from the Local Plan or revert back to the previously proposed 20b.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert back to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Chair of SPC and chief officer have continued to dismiss public opinion and undertake a very unprofessional and biased consultation throughout

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraph 170(b) and with Local Plan paragraph 3.6 and policy AR01(b). 1. Failure to follow the sequential, risk-based approach required for flood risk The Strategic Flood Risk Assessment (SFRA) Level 1 provides inadequate consideration of Withycombe Brook, referencing it only as a footnote in Table 5-3. This is wholly insufficient given its known and significant flood risk history. Exmouth has experienced multiple fluvial flooding events, notably in 1960, 1983 and 2012, and is identified as having numerous and significant flood-risk pathways. Withycombe Brook already presents substantial flood risk under current conditions, without factoring in intensifying future pressures from climate change. 2. Exmo_20 would increase downstream flood risk to Exmouth's most populous wards Exmo_20 is a greenfield site elevated above the town, with runoff and tributaries feeding directly into Withycombe Brook. Development here—particularly at the scale proposed—would: increase surface water runoff, accelerate flows into an already sensitive watercourse, and exacerbate downstream flood risk to some of the most densely populated areas in East Devon. This risk requires robust and early assessment, yet no evidence has been provided showing that the development can avoid worsening flood conditions downstream. 3. The Local Planning Authority has not applied the required flood-risk tests NPPF paragraph 170(b) requires a sequential, risk-based approach to directing development away from areas at highest flood risk and away from areas where development would increase flood risk elsewhere. Policy AR01(b) of the Local Plan requires the same. The allocation of Exmo_20 demonstrates that the LPA has not: applied the sequential test to avoid locations that increase risk to people and property, assessed downstream cumulative impacts adequately, or

provided evidence that development can safely be accommodated without increasing flood risk to Exmouth's vulnerable wards. Failure to meet these requirements renders the allocation unsound. Conclusion Given the site's hydrological relationship with Withycombe Brook, the lack of a robust sequential assessment, the known history of flooding, and the risk of worsening flood impacts on Exmouth's most populated communities, the allocation of Exmo_20 is in clear conflict with national policy and the Local Plan. The allocation is therefore unsound and should be reverted to 20b as previously proposed I reserve the right to comment further should a supporting HRA and mitigation strategy be provided, and request to be notified when such documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Both chair of SPC and chief officer have been unprofessional and rude when dealing with members of the public's valid concerns and opinions throughout the consultation and restricting correct and proper consultation.

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraphs 16(c), 25, 180(d), 181, 185(a), 186(a), 186(c), 188 and 191. It is also contrary to Local Plan policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 and 13.24. 1. Allocation conflicts with strategic nature recovery objectives and designated site protection The Exmo_20 site forms part of Strategic Nature Area 368, a landscape specifically identified as: a critical ecological buffer between Exmouth and the internationally and nationally designated Pebblebed Heaths SAC/SPA/SSSI, foraging habitat for European Nightjar (a qualifying feature of the SPA and a Section 41 species of Principal Importance), and a wildlife corridor linking the Pebblebed Heaths to coastal habitats. Development within this area would directly undermine the conservation objectives of the SPA and sever key ecological linkages essential for species movement and habitat resilience. Devon County Council is also in the final stages of designating this land as a Local Nature Recovery Area within the forthcoming Local Nature Recovery Strategy (to be published March 2026). This strategy—required under the Environment Act 2021—aims to enhance existing wildlife sites, reconnect fragmented habitats, and support nature recovery. Allocating Exmo_20 for development is fundamentally incompatible with these statutory aims. The site contains numerous veteran trees, ancient woodland features, and traditional hedgerows, all of which are at serious risk of fragmentation or loss if development proceeds. 2. Expert ecological bodies strongly oppose allocation due to significant harm In its Regulation 19 response, Devon Wildlife Trust states: “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area... identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key

part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development." DWT further warns: "It is beyond the scope of this letter to detail the range and diversity of sensitive habitats and species supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development... We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan." This is an unequivocal expert assessment that the site cannot be developed without serious harm—including harm to the integrity of the SAC. Under the Habitats Regulations, this level of risk is unacceptable and directly engages NPPF paragraphs 180(d), 185(a), 186(a), 186(c) and 188. 3. Failure to follow the Mitigation Hierarchy and strategic planning principles Allocating a site located within a key nature recovery area, functioning as irreplaceable buffer land, and supporting habitats for SPA qualifying species fundamentally conflicts with: NPPF paragraph 25 (strategic, plan-led approach to environmental protection), NPPF paragraph 16(c) (plans must be shaped by early, proportionate environmental assessment), and NPPF paragraph 191 (priority must be given to enhancing the natural environment). Furthermore, Local Plan policies PB01–PB04 and paragraphs 13.10–13.24 explicitly recognise the need to strengthen ecological networks and protect sensitive habitats. The Exmo_20 allocation contradicts these policy requirements. No credible mitigation has been presented that could offset the scale of ecological harm. In an SNA forming part of Devon's Nature Recovery Strategy, avoidance—not mitigation—is the only lawful and policy-compliant option. Conclusion Exmo_20 lies wholly within a strategically important ecological landscape, provides essential supporting habitat for SPA-qualifying species, and forms a critical buffer to internationally protected sites. Expert ecological bodies, including Devon Wildlife Trust, state clearly that the site cannot be developed without significant adverse effects on the integrity of the SAC. The allocation therefore: breaches multiple NPPF requirements, conflicts with key Local Plan policies, undermines statutory nature recovery duties, and fails the tests of soundness and legal compliance. Accordingly, Exmo_20 should be removed from the Local Plan. I reserve the right to comment further should a supporting HRA and a robust mitigation strategy be provided, and request to be notified when such documentation becomes available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo_20 should be removed from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: the approach by the chair of the SPC and the chief officer has been clearly unprofessional and boarding on arrogant when address member of the publics views and opinions and dismissing them out of hand without consideration

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound as it conflicts with paragraph 206 of the NPPF (December 2023), and it also conflicts with Policies HE02 and OL01(d) of the Local Plan.

1. Significant harm to the setting of a Grade II* listed heritage asset A development of the scale proposed for Exmo_20, wrapping around St John in the Wilderness Church (Grade II*), would cause substantial and irreversible harm to its historic setting. The church and its churchyard sit within a Medieval Saxon settlement landscape, characterised by dark skies, tranquillity, and a strong sense of remoteness—a setting that is intrinsic to the significance of the asset. This “wilderness” character cannot be preserved by leaving a token buffer; the surrounding development would fundamentally—and permanently—alter the experience, setting, and cultural context of the church.

2. Expert heritage advice confirms severe and unresolved impacts Historic England, in their Regulation 19 consultation response, state: “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b).” They further raise serious concerns regarding the proposed northern access route: “We are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm.” Historic England explicitly recommend that alternative access from the south should be explored, and that: “Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be

amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified.” This is a clear indication from the statutory heritage adviser that the allocation, as currently proposed, fails to protect an asset of the highest significance, in direct conflict with NPPF 206. Conclusion The allocation of Exmo_20 would cause substantial, unjustified, and irreversible harm to the setting of St John in the Wilderness Church and its historic landscape. This places the allocation in clear conflict with national policy, local heritage protections, and the legal requirement to give great weight to the conservation of designated heritage assets. Accordingly, Exmo_20 is unsound and should not be allocated. I reserve the right to comment further should a supporting HRA and mitigation strategy be produced, and request to be notified when these documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The clear unprofessional approach from both the chair of SPC and the chief officer shows a clear disregard for public voice or opinion

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (December 2023) paragraphs 16(c), 92, 114(b), 114(d), 180(e) and 181, as well as Local Plan paragraph 3.6, policies TR01, OL09 and PB04, and paragraph 11.2. 1. The site has no viable or deliverable access solution The proposed primary access onto the B3179 is neither viable nor evidenced. Deliverability depends on major, uncertain and uncoded highway works, none of which have been confirmed as feasible by Devon County Council. Without clear, coded, and technically supported access proposals, the allocation cannot meet the NPPF requirements for soundness or infrastructure deliverability. Cumulative and in-combination impacts on the B3179 must also be assessed, including increased traffic congestion and air pollution along the boundary of the Pebblebed Heaths SAC/SPA, which heightens the ecological risks and conflicts directly with NPPF paragraphs 180(e) and 181. 2. HRA evidence confirms risk of adverse effects on site integrity The Habitats Regulations Assessment (18.11.25) explicitly states that there is: “currently not sufficient certainty to rule out adverse effects on integrity in relation to... air quality (East Devon Pebblebed Heaths SAC/SPA)”. This uncertainty arises because the primary access directs traffic along the edge of the protected site. Allocation of a site whose access alone risks integrity of a European designated site is incompatible with Habitats Regulations requirements and NPPF 181. 3. Allocation contradicts the precautionary approach and Mitigation Hierarchy The plan must demonstrate the precautionary approach, yet Exmo_20’s allocation does the opposite by assuming mitigation that has not been evidenced. The Mitigation Strategy itself states: “Mitigation cannot be assumed without evidence (People over Wind; Sweetman).” Under the Mitigation Hierarchy, avoidance must be prioritised over

mitigation—now a statutory duty under the Environment Act 2021. Allocating a site that inherently generates significant unmitigated air-quality and ecological impacts is incompatible with these legal requirements. There is no reasonable scientific certainty supporting the conclusion that the impacts can be mitigated. Without such certainty, the site's inclusion is unlawful under the Habitats Regulations. Conclusion Given the absence of a viable access solution, the confirmed risk of adverse effects on site integrity, the failure to apply the precautionary approach, and the contradiction of both national and local planning policy, Exmo_20 cannot be considered sound or legally compliant. I reserve the right to comment further should a supporting HRA and detailed mitigation strategy be produced. I request to be notified when these documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The unprofessional approach throughout the process by the chair of the SPC and chief officer have been completely dismissive of the public opinion against this particular allocation, at times being arrogant and misleading

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is unsound and not legally compliant. It is in direct conflict with paragraphs 16(c), 32, 181, 185, 186(b), and 188 of the National Planning Policy Framework (December 2023). It also contradicts paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. 1. High risk of recreational pressure and inability to deliver effective SANG Given Exmo_20's immediate adjacency to the Pebblebed Heaths SAC/SPA/SSSI, it is highly unlikely that Suitable Alternative Natural Greenspace (SANG) of adequate scale, ecological quality, and geographic convenience could be provided to reliably divert new residents away from the designated heathlands. The proximity of the development makes substantial recreational activity—dog walking, walking, and cycling on the protected site—almost inevitable, causing disturbance to sensitive habitats and species. The ecological risk is significant. For ground-nesting species such as European Nightjar, research confirms that “just one event leading to predation is enough to end that nesting attempt” (Langston et al., 2007, Ibis 149: 27–36). The lack of detailed mitigation proposals, coupled with the sensitivity of the qualifying features of the SPA, means that the precautionary approach required of the Competent Authority must be applied. 2. Expert bodies identify serious and unresolved ecological risks The RSPB, in its response to the first Regulation 19 consultation, clearly stated that: “Mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20)) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development.” The RSPB further emphasises: risk of direct and indirect loss of potential foraging habitat, risk of increased cat predation on SPA qualifying species, risk of

damaging levels of recreational activity, especially dogs off leads, insufficient confidence that SANG or on-site open space could prevent increased recreational use of the designated heathlands. These concerns represent significant, credible, and unresolved risks that cannot be mitigated by the site allocation as drafted. 3. Ineffective spatial controls and absence of enforceable mitigation While policy SD01 refers to a 400-metre exclusion zone for built development: “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” this control cannot prevent residents or domestic cats from accessing the designated site. In fact, the risk increases the closer dwellings are built to the heathlands. As the RSPB notes, there is no mechanism to stop cats roaming or residents using the protected area for daily recreation. The site’s location makes this unavoidable. Without a credible, detailed, and deliverable mitigation strategy—one which has not yet been provided—Exmo_20 cannot be considered sound or legally compliant with the Habitats Regulations. Conclusion For these reasons, the allocation of Exmo_20: breaches key NPPF requirements (paras 16(c), 32, 181, 185, 186(b), and 188), conflicts with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02, fails the precautionary principle, cannot demonstrate no adverse effect on site integrity, and is therefore unsound and not legally compliant. I reserve the right to comment further should a legally compliant HRA and a robust, evidence-based mitigation strategy be produced for the Local Plan. I request to be notified as soon as such documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Unprofessional approach from chair of SPC and chief officer have not taken any notice of public opinion

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of Exmo_20 is fundamentally unsound and not legally compliant. It directly conflicts with the National Planning Policy Framework (December 2023), specifically paragraphs 16(c), 32, 73(b) (including footnotes 38 and 7), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188, and 191(c). It also contradicts paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. 1. Minimum 400m exclusion zone is insufficient and not precautionary A minimum 400m zone adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 allocation. This buffer is proposed to mitigate cat predation and other urbanisation impacts. However, evidence shows that cats in rural and semi-rural settings can roam over 2km (Hall et al., 2016; Metsers, Seddon & van Heezik, 2010) [HRA 4.10]. With the ground-nesting Nightjar, a qualifying feature of the SPA, highly vulnerable to predation—where “just one event leading to predation is enough to end that nesting attempt” (Langston et al., 2007)—a 400m buffer cannot be considered precautionary. The pragmatic 400m distance (Underhill-Day, 2005) is not adequate in this specific context, given both the ecological sensitivity of the site and the high mobility of domestic cats. A significantly larger buffer is required to safeguard qualifying features. 2. The allocation is dependent on a non-existent mitigation strategy and HRA Exmo_20’s inclusion is predicated on a mitigation strategy and HRA that do not yet exist in a form capable of supporting the Plan. The current documentation cannot demonstrate that adverse effects on site integrity can be ruled out. In the absence of robust evidence, a precautionary approach is mandatory. At minimum, this would necessitate removing the 400m adjacent zone—though, as set out above, an even greater buffer is likely required. The site also provides functionally linked foraging habitat for European Nightjar (a SPA qualifying species and a Section 41

species of Principal Importance). Moreover, a substantially increased buffer will be required to mitigate recreational impacts (e.g., dogs off leads, cycling, increased walking pressure), which have not been assessed at site level. Again, a precautionary approach at the strategic level is the only legally defensible route. This position is shared by multiple ecological bodies, including DWT and RSPB. The East Devon National Landscape Partnership, in its first Regulation 19 response, stated: “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage... It also further fragments the surrounding habitat... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or... we support significant reassessment of the scale and boundary... including reduced housing numbers and concentration of development closer to the existing town settlement.” This is a clear and authoritative statement that the allocation, as drafted, is ecologically indefensible. 3. Site selection is unjustified given better alternatives and housing oversupply The Exmo_20 allocation is difficult to justify. Multiple less constrained and less mitigation-dependent sites were available for selection. Additionally, the Plan contains an over-supply of allocations due to the LPA’s failure to apply the latest mandatory ONS data. The choice of Exmo_20 therefore cannot be rationally defended within the Mitigation Hierarchy (NPPF para 32) or in terms of sound plan-making. 4. Natural England also identifies fundamental flaws Natural England’s Regulation 19 response reinforces these concerns: “The policy is not yet clear where employment uses would be located... the policy should require a natural buffer in the northeast... there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106... This would appear to be clear, sound planning which more effectively communicates the planning restrictions around the East Devon Heaths SAC/SPA.” Natural England is explicitly signalling that the current policy is inadequate, unclear, and inconsistent with sound ecological planning. This is a critical failing. Conclusion For the reasons set out above, Exmo_20 is unsound, not legally compliant, in breach of multiple provisions of the NPPF and Local Plan, contrary to the Mitigation Hierarchy, and dependent on unproven and currently unavailable mitigation measures. Its allocation cannot be justified in any lawful or precautionary plan-making process. I reserve the right to comment further if, and when, a sufficiently detailed and legally compliant HRA and mitigation strategy are produced. Please notify me when such evidence becomes available

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The unprofessional actions and tone of the chair of SPC and chief officer have been completely negligent to the importance of listening to the publics important wishes

Full name: Stephen Winn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The allocation of site Exmo_20 is fundamentally unsound and not legally compliant. It is in clear conflict with numerous provisions of the National Planning Policy Framework (December 2023), specifically paragraphs 16(c), 32, 73(b) (including footnotes 38 and 7), 180(d), 180(e), 181, 185(a), 186(b), 188 and 191(c). It also contradicts paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Given its immediate proximity to the Pebblebed Heaths SAC/SPA/SSSI, the allocation is entirely dependent on extensive habitats and species mitigation. Critically, this mitigation has not been demonstrated to be either achievable or viable. The mitigation strategy itself states that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA”, while the Plan’s HRA acknowledges that “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” The site was selected on 03.09.24, with no opportunity for reconsideration, and the Regulation 19 Draft Local Plan was approved on 11.12.24 on the assumption that a mitigation strategy would emerge. This was done prior to undertaking an Appropriate Assessment in the 30.01.25 HRA, in direct contradiction to the CJEU People over Wind ruling and the legally required precautionary approach—particularly relevant in light of the CJEU Dutch N judgment. Furthermore, under NPPF paragraph 32, site allocations subject to known and significant mitigation requirements must be clearly justified against the Mitigation Hierarchy. The LPA has not carried out this assessment. The selection of Exmo_20 is especially difficult to justify when several alternative, viable, and far less mitigation-dependent sites were available, and when the Plan already contains an over-supply of housing allocations due to the LPA’s failure to use the latest mandatory ONS data. The

Devon Wildlife Trust, in its first Regulation 19 response, highlighted that the site “currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries.” The LPA’s actions reflect a cavalier approach to its responsibilities as the Competent Authority under the Conservation of Habitats and Species Regulations and reveal systemic failings in meeting its statutory duties. I reserve the right to submit further comments when—and if—a legally compliant HRA and a robust, evidence-based mitigation strategy are made available. I request to be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: As there are many points being overruled by the chair and chief officer which need clear understanding and competent review

Full name: Karen Winslade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robert Arthur Withers

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robert Arthur Withers

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. South West Water struggles with sewage disposal and this proposal will add considerably to run off given the way in which areas of housing change the natural drainage. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runs directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20

Full name: Robert Arthur Withers

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would radically alter the character of the East Devon landscape, changing an ecologically significant area into an increasingly urban environment. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/ SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I fully endorse their recommendation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robert Arthur Withers

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robert Arthur Withers

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over- supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and

supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: John Wood

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

llocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Deborah Wood

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: G. Woodcraft

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This development is far too close to the Pebblebed Heaths and the boundary of the East Devon National Landscape. As a result wildlife and fragile habitats will be affected by domesticated animals - cats and dogs off lead, as well as the continued impact of more people using the area for immediate access to a range of outdoor relaxation, picnics and parking. Protection for many named species of birds i.e. ground nesting Nightjars will be decimated.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the local plan Significantly reduce the density and size of the site Move the settlement boundary much further away from the Pebblebed Heaths at least 500 metres or more. Do not access this site from the B3179 as it actually forms part of the boundary of the East Devon National Landscape. This should be recognised and respected for what it is.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: G. Woodcraft

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 site is part of the Strategic Nature Area 368 identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SSSI and is a wildlife corridor between the PB Heaths and the coast. This is deemed a recovery area and contains many vital ancient woodlands, trees and hedgerows which are now at risk of becoming damaged and fragmented habitats. Air pollution from the road, increased pollution and litter from residents and dogs and their owners will have a major impact on wildlife.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the plan and significantly move the settlement boundary away from the Pebblebed Heaths.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: G. Woodcraft

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Flood risk probabilities/potential and future effects of climate change. The LPA have not employed the required, risk based approach to site selection in order to minimize and avoid flood risks to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Undertake the necessary survey. Remove Exmo_20 from the local plan. Reduce the size of the development significantly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: G. Woodcraft

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation conflicts with para 32 of the NPPF Dec 23 and as a consequence of retrospectively changing the SSM - site selection methodology (in direct conflict with the Nolan principles) to justify even selecting this site. The original version used in May 2022 for the reg 18 stage does not allow Exmo_20 to be selected.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Exmo20_should be removed from the plan. The B3179 is already an overly used, over congested, narrow B road providing an increasing amount of traffic, access to Budleigh Salterton and Exmouth. Adding further vehicles 2000+ will make it significantly worse, to the point that it will cause a greater number of accidents (a foreseeable offence) and ruin access between the two towns. It will be a nightmare!

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Gabrielle Wooller

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses

in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways,

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: John Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have personal experience of the abundant wildlife, especially bats, of the water course situation, of the burst mains drains in St John's Road and of the danger on the B3719 to Budleigh Salterton. I also recollect my comments on the proximity to St John's in the Wilderness being of relevance..I have not been able to comment on the Commonplace platform as I have tried and failed to make sense of it. Please note these comments remain in place, from my previous written correspondence .I finally can add that the prospective developers Eagle Investments, are known to split sites so that they can avoid their obligations to provide infrastructure, then to rejoin them later. They have done this all around Exmouth. We expect they will continue on the same track with Exmouth_20. The local planning team seem to not take this behavioural pattern into consideration. I would stress it is time they did so.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have personal experience of the abundant wildlife, especially bats, of the water course

situation, of the burst mains drains in St John's Road and of the danger on the B3719 to Budleigh Salterton. I also recollect my comments on the proximity to St John's in the Wilderness being of relevance..I have not been able to comment on the Commonplace platform as I have tried and failed to make sense of it. Please note these comments remain in place, from my previous written correspondence .I finally can add that the prospective developers Eagle Investments, are known to split sites so that they can avoid their obligations to provide infrastructure, then to rejoin them later. They have done this all around Exmouth. We expect they will continue on the same track with Exmouth_20. The local planning team seem to not take this behavioural pattern into consideration. I would stress it is time they did so.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_20

Full name: John Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have not been able to comment on the Commonplace platform due to being unable to access a laptop. Please note that my previous written objections remain. It seems that the site below my property is no longer in the local plan, Exmouth _20b, but I do not know this for a fact..However, this is definitely an important woodland corridor and should be removed from the strategic plan. My other comments regarding SSI, light pollution, road danger due to traffic funnelling and mostly the water courses from springs and from lack of mains supply maintenance are still relevant. Please note that the above comments are from 30 years of personal experience as well as love for Exmouth, where I have lived for 66 years. Please consider carefully if one big development is the correct way to proceed, particularly with the way the Eagle Investments company tend to split their builds, and then not add in the infrastructure.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete site Exmo_20b

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have not been able to comment on the Commonplace platform due to being unable to access a laptop. Please note that my previous written objections remain. It seems that the site below my property is no longer in the local plan, Exmouth _20b, but I do not know this for a fact..However, this is definitely an important woodland corridor and

should be removed from the strategic plan. My other comments regarding SSI, light pollution, road danger due to traffic funnelling and mostly the water courses from springs and from lack of mains supply maintenance are still relevant. Please note that the above comments are from 30 years of personal experience as well as love for Exmouth, where I have lived for 66 years. Please consider carefully if one big development is the correct way to proceed, particularly with the way the Eagle Investments company tend to split their builds, and then not add in the infrastructure.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete allocation Exmo_20b

Full name: Rachel Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been

taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on

locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where

avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 the town and local roads cannot cope with it, if a smaller version is agreed do not enter through Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

THIS IS A RURAL AREA! IT IS WHY IT IS SPECIAL. WE NEED TO PROTECT SOME RURAL AREAS! WE DO NOT HAVE THE INFRASTRUCTURE TO SUPPORT THIS HUGE PROPOSED PROJECT - the roads, the sewerage/water system etc. It is a huge threat to the people already living in the area, the important wildlife and nature so important to this area - DO NOT JUST CONCRETE IT OVER! Here are specific objections: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in

NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further

fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and

surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local

Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It

is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan - Devon needs its green spaces. The infrastructure is NOT THERE to support this proposal.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration

of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of

recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heathlands" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration

of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of

recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heathlands" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove EXMO_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Ward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the

SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Significantly reduce the size of Exmo_20 or remove it completely. If -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

xmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed -Do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robert Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Insufficient appropriate public consultation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo 20 from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robert Richards

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Too big. Reduce the size of Exmo 20 or remove Exmo 20 from local plan. Too big. Wrong area for this size of development. Wilderness area with grade 11* listed church and churchyard being too close to proposed plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo20 from local plan, or reduce the size greatly of Exmo20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: One feels more presence with such an option.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: One feels more of a presence with such an option.

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

llocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

- Do not access the site via B3179, -Move the settlement boundary away -Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, from the Pebblebed Heaths
- Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this

proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Jodie Rorke

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Exmo_20

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

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Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

llocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Jodie Rorke

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Full name: Jodie Rorke

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Jodie Rorke

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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Full name: Joseph Rorke

Proposal:

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

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Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Exmo_20

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Joseph Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Joseph Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Joseph Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Joseph Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Re-Do not access the site via B3179, -Move Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands rising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated

heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Andrew Skudder

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan,

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Revert to 20b as previously proposed

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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Full name: Maureen White

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

llocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest

to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

llocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Sue Williams

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: It seems not viable to upgrade the existing B3179 because: 1. Is it financially viable 2. Would impact on existing houses and other third party land 3. Increased traffic from Exmouth & Budleigh Salterton 4. If not adequately upgraded the frequency of accidents on the would significantly increase. Clear evidence is required to demonstrate viability before being allocated in the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To understand how the local highway if feasibly able to be upgraded as there is no evidence to date.

Full name: Shirley Field

Organisation (where relevant): Brixington Primary Academy

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This development is pure destruction to the local environment and the irreversible damage caused to the he natural habitats and ancient woodlands is something that our future generations will never be able to enjoy. It is a total travesty.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Penny Mills

Organisation (where relevant): CPRE Devon

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Devon CPRE are aware of significant community concern regarding Policy SD01 – Land at St John’s (Exmo_20), including conflicts with national and local plan policies, environmental and biodiversity impacts, flood risk, heritage and landscape impacts, and procedural issues. In addition, we wish to raise the following objection: Land at St John’s (Exmo_20) constitutes major development in landscape terms. Land at St John’s (Exmo_20) constitutes major development in landscape impact terms. The proposal is a large-scale urban extension, including employment land, community facilities, and a new vehicular access from the B3179. The enhanced duty on Local Planning Authorities under the Levelling Up and Regeneration Act 2023, together with national planning policy in the National Planning Policy Framework (NPPF) (paragraphs 189–190), makes clear that whether development constitutes “major development” and whether it has the potential to impact a National Landscape (NL) are matters of fact and degree. Such assessments should be made having regard to the scale, character, and likely impacts of the proposal, consistent with the NPPF’s approach to conserving and enhancing valued landscapes. A development of this magnitude:

- Introduces substantial built form, infrastructure, movement, lighting, and activity.
- Represents a fundamental change from rural/undeveloped land to urban use.
- Has effects that extend well beyond the red line boundary. On this basis alone, the allocation meets the threshold of major development in landscape terms. Warranting careful assessment of its effects on the NL and its setting. Land at St John’s (Exmo_20) -

disconnects between evidence and policy response to NL. · Evidence base - Impacts on the setting of the NL are underestimated The ‘Topic Paper SAL – 049 (Rev) Major Development in National Landscapes Second Regulation 19 version’ (October 2025) assessment places disproportionate reliance on the absence of built housing immediately adjacent to the NL boundary. The higher ground adjacent to the NL: · Contributes to its landscape character, openness and visual containment. · Forms part of the wider landscape context that supports the purposes of designation. Development within this setting can: · Be visible from within the NL. · Alter key views, skylines and perceptual qualities such as tranquillity and remoteness. · Introduce an urbanising influence that erodes the transition between designated and non-designated land. These indirect but significant effects are not adequately assessed. · Evidence base - Indicative masterplan provides insufficient certainty ‘Topic Paper SAL – 049 (Rev) Major Development in National Landscapes Second Regulation 19 version’ (October 2025) relies heavily on an indicative masterplan showing no built development close to the NL. However: · Indicative masterplans carry limited weight and can change. · Infrastructure such as access roads, drainage, lighting, signage, earthworks and landscaping can themselves have significant landscape effects. · The allocation policy insufficiently responds to NL Strategic Policy SD01 Land at St John’s (Exmo_20) explicitly allocates: · Around 700 dwellings. · Employment land and community facilities. · A new primary vehicular access from the B3179. This establishes, in principle, a comprehensive and strategic development whose impacts on the setting of the NL are inevitable, regardless of later design detail. While the policy requires built development to be concentrated in the southern part of the site, the northern and north-eastern areas remain integral to the scheme, accommodating: · The primary access road. · SANGs and open space. · Buffers, landscaping, parking controls and habitat creation. These elements are not landscape-neutral and will introduce: · Engineered landform. · Movement, noise and visual activity. · An urbanising influence along the edge of the NL. The extensive safeguards required by the allocation including: · Avoidance of street lighting. · Structural planting and screening. · Retention of buffers. · Protection of tranquillity and visual amenity. demonstrate that the site lies within a highly sensitive landscape context. The need for such controls reinforces the potential for conflict with the purposes of the NL. The 400-metre exclusion zone from the Pebblebed Heaths is primarily an ecological safeguard. It does not prevent landscape or visual harm, nor does it address impacts on character, tranquillity or experiential qualities of the NL. While the allocation requires development to come forward based on an agreed masterplan, this does not provide sufficient certainty to conclude that there will be no significant adverse impact on the purposes of the NL The masterplan requirement is concerned with: · Phasing and coordination across land parcels. · Infrastructure delivery and cost apportionment. · Design responses to heritage, mineral, biodiversity and access constraints. In summary, the Policy embeds mitigation measures that insufficiently acknowledge landscape sensitivity and does not guarantee

protection of the setting, tranquillity or purposes of the NL. Land at St John's (Exmo_20) disconnects between evidence and policy response to the historic environment. · Evidence base – failure to identify combined impacts on heritage setting and setting of the NL The 'Site Selection report Addendum –Historic Environment Site Assessment Exmouth' (November 2025) assessment repeatedly describes the Grade II* Church of St John in the Wilderness's setting using language that directly overlaps with the purposes and special qualities of the NL including: · tranquillity, · remoteness, · openness, · undeveloped countryside, · dark skies, · rising landform and wooded horizons. Crucially: · The north and north-east of the church, identified as sensitive to heritage harm are also the areas that: o lie closest to the NL; and o contribute to its setting, However, the 'Site Selection report Addendum –Historic Environment Site Assessment Exmouth' (November 2025) assessment does not sufficiently recognise that the church's setting is functionally and perceptually linked to the setting of the NL. The absence of explicit reference to the NL in the heritage conclusions underplays the combined sensitivity of this location and weakens the evidence and policy response. · Policy requirements provide insufficient certainty Strategic Policy SD01 Land at St John's (Exmo_20) relies heavily on future master-planning to address impacts on the setting of the Grade II* Church of St John in the Wilderness. However, the 'Site Selection report Addendum –Historic Environment Site Assessment Exmouth' (November 2025) identifies location specific sensitivity, including land where development would harm the church's setting through loss of openness and tranquillity. Strategic Policy SD01 Land at St John's (Exmo_20) requires an agreed masterplan, but: · It does not define fixed no-development areas around the church. · It does not translate the sensitivity mapping into policy constraints. · It does not link housing numbers to heritage or landscape capacity. · It does not require an integrated heritage landscape assessment to inform the masterplan. In summary, the masterplan is in danger of being a substitute for policy clarity, rather than a mechanism for implementing it. Summary of Objection · Exmo_20 is a major development in landscape terms. · Landscape Impacts: Policy and evidence understate potential impacts on NL character, tranquillity, and visual quality. · Heritage Impacts: Policy fails to adequately protect the Grade II* church's setting or its interaction with the NL. Conclusion Policy SD01 fails to provide adequate protection to the landscape and heritage setting and does not demonstrate compliance with national planning policy regarding major development in landscape terms and the setting of the NL.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised

wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Devon CPRE are aware of significant community concern regarding Policy SD01 – Land at St John’s (Exmo_20), including conflicts with national and local plan policies, environmental and biodiversity impacts, flood risk, heritage and landscape impacts, and procedural issues. In addition, we wish to raise the following objection: Land at St John’s (Exmo_20) constitutes major development in landscape terms. Land at St John’s (Exmo_20) constitutes major development in landscape impact terms. The proposal is a large-scale urban extension, including employment land, community facilities, and a new vehicular access from the B3179. The enhanced duty on Local Planning Authorities under the Levelling Up and Regeneration Act 2023, together with national planning policy in the National Planning Policy Framework (NPPF) (paragraphs 189–190), makes clear that whether development constitutes “major development” and whether it has the potential to impact a National Landscape (NL) are matters of fact and degree. Such assessments should be made having regard to the scale, character, and likely impacts of the proposal, consistent with the NPPF’s approach to conserving and enhancing valued landscapes. A development of this magnitude:

- Introduces substantial built form, infrastructure, movement, lighting, and activity.
- Represents a fundamental change from rural/undeveloped land to urban use.
- Has effects that extend well beyond the red line boundary. On this basis alone, the allocation meets the threshold of major development in landscape terms. Warranting careful assessment of its effects on the NL and its setting. Land at St John’s (Exmo_20) - disconnects between evidence and policy response to NL. · Evidence base - Impacts on the setting of the NL are underestimated The ‘Topic Paper SAL – 049 (Rev) Major Development in National Landscapes Second Regulation 19 version’ (October 2025) assessment places disproportionate reliance on the absence of built housing immediately adjacent to the NL boundary. The higher ground adjacent to the NL: · Contributes to its landscape character, openness and visual containment. · Forms part of the wider landscape context that supports the purposes of designation. Development within this setting can: · Be visible from within the NL. · Alter key views, skylines and perceptual qualities such as tranquillity and remoteness. · Introduce an urbanising influence that erodes the transition between designated and non-designated land. These indirect but significant effects are not adequately assessed. · Evidence base - Indicative masterplan provides insufficient certainty ‘Topic Paper SAL – 049 (Rev)

Major Development in National Landscapes Second Regulation 19 version' (October 2025) relies heavily on an indicative masterplan showing no built development close to the NL. However:

- Indicative masterplans carry limited weight and can change.
- Infrastructure such as access roads, drainage, lighting, signage, earthworks and landscaping can themselves have significant landscape effects.
- The allocation policy insufficiently responds to NL Strategic Policy SD01 Land at St John's (Exmo_20) explicitly allocates:
- Around 700 dwellings.
- Employment land and community facilities.
- A new primary vehicular access from the B3179. This establishes, in principle, a comprehensive and strategic development whose impacts on the setting of the NL are inevitable, regardless of later design detail. While the policy requires built development to be concentrated in the southern part of the site, the northern and north-eastern areas remain integral to the scheme, accommodating:
- The primary access road.
- SANGs and open space.
- Buffers, landscaping, parking controls and habitat creation. These elements are not landscape-neutral and will introduce:
- Engineered landform.
- Movement, noise and visual activity.
- An urbanising influence along the edge of the NL. The extensive safeguards required by the allocation including:
- Avoidance of street lighting.
- Structural planting and screening.
- Retention of buffers.
- Protection of tranquillity and visual amenity. demonstrate that the site lies within a highly sensitive landscape context. The need for such controls reinforces the potential for conflict with the purposes of the NL. The 400-metre exclusion zone from the Pebblebed Heaths is primarily an ecological safeguard. It does not prevent landscape or visual harm, nor does it address impacts on character, tranquillity or experiential qualities of the NL. While the allocation requires development to come forward based on an agreed masterplan, this does not provide sufficient certainty to conclude that there will be no significant adverse impact on the purposes of the NL. The masterplan requirement is concerned with:
- Phasing and coordination across land parcels.
- Infrastructure delivery and cost apportionment.
- Design responses to heritage, mineral, biodiversity and access constraints. In summary, the Policy embeds mitigation measures that insufficiently acknowledge landscape sensitivity and does not guarantee protection of the setting, tranquillity or purposes of the NL. Land at St John's (Exmo_20) disconnects between evidence and policy response to the historic environment.
- Evidence base – failure to identify combined impacts on heritage setting and setting of the NL. The 'Site Selection report Addendum –Historic Environment Site Assessment Exmouth' (November 2025) assessment repeatedly describes the Grade II* Church of St John in the Wilderness's setting using language that directly overlaps with the purposes and special qualities of the NL including:
- tranquillity,
- remoteness,
- openness,
- undeveloped countryside,
- dark skies,
- rising landform and wooded horizons.

Crucially:

- The north and north-east of the church, identified as sensitive to heritage harm are also the areas that:
- o lie closest to the NL; and
- o contribute to its setting,

However, the 'Site Selection report Addendum –Historic Environment Site Assessment Exmouth' (November 2025) assessment does not sufficiently recognise that the

church's setting is functionally and perceptually linked to the setting of the NL. The absence of explicit reference to the NL in the heritage conclusions underplays the combined sensitivity of this location and weakens the evidence and policy response. · Policy requirements provide insufficient certainty Strategic Policy SD01 Land at St John's (Exmo_20) relies heavily on future master-planning to address impacts on the setting of the Grade II* Church of St John in the Wilderness. However, the 'Site Selection report Addendum –Historic Environment Site Assessment Exmouth' (November 2025) identifies location specific sensitivity, including land where development would harm the church's setting through loss of openness and tranquillity. Strategic Policy SD01 Land at St John's (Exmo_20) requires an agreed masterplan, but: · It does not define fixed no-development areas around the church. · It does not translate the sensitivity mapping into policy constraints. · It does not link housing numbers to heritage or landscape capacity. · It does not require an integrated heritage landscape assessment to inform the masterplan. In summary, the masterplan is in danger of being a substitute for policy clarity, rather than a mechanism for implementing it. Summary of Objection · Exmo_20 is a major development in landscape terms. · Landscape Impacts: Policy and evidence understate potential impacts on NL character, tranquillity, and visual quality. · Heritage Impacts: Policy fails to adequately protect the Grade II* church's setting or its interaction with the NL. Conclusion Policy SD01 fails to provide adequate protection to the landscape and heritage setting and does not demonstrate compliance with national planning policy regarding major development in landscape terms and the setting of the NL.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Helen Booker

Organisation (where relevant): RSPB

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This allocation remains of particular concern given its scale and proximity to the Pebblebed Heaths SPA/SAC and the RSPB nature reserve at Withycombe Raleigh. See comments to first Regulation 19 consultation. These comments are additional. While work is underway on an air quality mitigation strategy, considerable uncertainty remains over the availability of viable, effective measures, as expressed in the HRA. This allocation and others close to the heaths cannot proceed unless adverse impacts on the integrity of the heaths SPA/SAC can be ruled out. See comments on policy PB04. We note the additional information provided in this policy in relation to the heaths, however, there are ambiguities in the wording of the policy in relation to land use within the 400m. The policy also currently refers to ‘unacceptable’ impacts on the Pebblebed Heaths, which is unclear, rather than ‘adverse’ which follows specific tests and is in line with the legal requirements for the protection of SPAs/SACs. We note the policy includes a buffer for Nightjar foraging. However the buffer is not defined and does not remove the need for an assessment of use of the allocation (and others within foraging distance of the heaths) by Nightjars and how any adverse impacts on the Nightjar population will be avoided. The master plan and access strategy will require full assessment to ensure adverse impacts on the SPA/SAC can be ruled out. SANG need be sited to ensure people are not encouraged towards the designated sites for recreation and be of sufficient scale (NE advice is for double the standard provision) to function as an attractive alternative destination to the heaths. The requirement for SANG to be fenced to ensure onward access to the SPA/SAC is prevented is essential, however, the proposed access road would still bring residents very close to the heaths, potentially undermining the

effectiveness of the SANG. The RSPB's view remains that there is still a significant risk of impacts on the designated heathlands arising from the increased population in close proximity to the heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Clarity that this development will not proceed unless all adverse impacts on the Heaths SAC/SPA can be avoided, including an effective air quality mitigation strategy. Wording should state that a project level HRA will be required to assess impacts on nightjar foraging areas, urban impacts and SANG location and design. The wording of 400m policy should replace the word 'unacceptable' with 'adverse'. We recommend that EDDC works with Natural England over the wording of the policy to ensure clarity in relation to the SPA/SAC and designated species.

Full name: Helen Booker

Organisation (where relevant): RSPB

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Lymp_07

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This allocation includes sports pitches which are just within 400m and only 1 or 2 fields away from the Exe Estuary SPA/Ramsar, with potential for lighting and noise impacts on the SPA wintering birds. Site design must ensure there is no adverse impact from sports pitch flood lighting or other light pollution to the estuary.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We suggest including wording on the need for site design to ensure there is no light pollution to the estuary and that an assessment at the project level will be needed for impacts on wintering birds using the Exe Estuary SPA. See also previous comments in relation to Cirl Buntings.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_50

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the proposed wording changes to this policy which address the issues raised in our Regulation 19 consultation response

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

While we welcome the additional text within this policy requiring that any overarching planning application is accompanied by a detailed HIA, and that through masterplanning an ‘extensive area’ must be established around the church in which built development will not be allowed, we are nevertheless concerned that a swathe of land north and east of the church is included in the proposed site allocation.

We note and wish to query the additional information contained in the evidence base. While the policy itself states that ‘Built development will need to be concentrated in the southern parts of the site’, the map and housing figures in the Site Selection report Addendum – Historic Environment Site Assessment Exmouth (p38 onwards) suggest that the proposed development would comprise of isolated parcels on all sides (north, east and south) of the church, off-set by a buffer area. The impact assessment primarily relies on ‘visual connectivity’ and does not represent a robust assessment of the potential impact on the significance the church derives from its setting, critically failing to consider impact on tranquillity. This is a major concern. We note that the proposal for vehicle access from the B3179 to the north across this land is retained. Please refer to our detailed comments on this matter in our letter dated 30 March 2025. We are concerned that the new policy text relating to the road commences with the words ‘The only exception to this constraint will be provision of an access road...’. While this may be intended to relate to the Minerals Safeguarding Area referred to in preceding paragraphs this is not clear. This should be clarified. As an aside, it is also unclear whether housing

could be delivered immediately adjacent to a Minerals Safeguarding Area without jeopardising potential future operations? While the indication that street lighting should be avoided on the access road is to be welcomed, as is potentially the requirement for ‘screening’, the effectiveness of this in mitigating heritage impacts would depend on the location and design of both the road and any associated planting. The noise that this road would generate within the tranquil setting of the grade II* listed Church of St John the Wilderness is also a concern that planting would not address.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To minimise harm to heritage assets, we suggest that development is restricted to the southern part of the site, and that the quantum of development and proposed range of uses is restricted to that which can be accommodated there.

If employment land, which is not justified by the needs of the district, would result in harm to the significance of heritage assets, then this should be removed from the allocation.

Access arrangements to the south or east of this area should also be sought. For example, could access be gained via a new road passing through Exmo_18 (Land east of Liverton Business Park) to the south, or from the housing estate to the west? Impact assessments should follow appropriate published guidance, which includes The Historic Environment and Site Allocations in Local Plans, and The Setting of Heritage Assets.

SD02

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Axmi_09

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The county council maintains its objection to Axmi_09 as archaeological work is still ongoing and it is advised this site should not be allocated until the results of the archaeological investigations are available for consideration by the County Historic Environment Team.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Axmi_08

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

The county council removes its objection to allocations Axmi_02 and Axmi_08 subject to archaeological work and design/layout approval that does not/minimises the effect upon the setting of the scheduled monument.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Axmi_02

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

The county council removes its objection to allocations Axmi_02 and Axmi_08 subject to archaeological work and design/layout approval that does not/minimises the effect upon the setting of the scheduled monument.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Axmi_01a

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
DCC notes the removal of allocation Axmi_01a.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Axmi_09

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC also recommends the correction of minor typographical errors within the policy text relating to the Axmi_02, Axmi_08 and Axmi_09 allocations: “The site is located close to the Strategic Road Network (SRN) and development should avoid adverse impacts on road safety on the SRN.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Axmi_08

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC also recommends the correction of minor typographical errors within the policy text relating to the Axmi_02, Axmi_08 and Axmi_09 allocations: “The site is located close to the Strategic Road Network (SRN) and development should avoid adverse impacts on road safety on the SRN.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Axmi_02

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC also recommends the correction of minor typographical errors within the policy text relating to the Axmi_02, Axmi_08 and Axmi_09 allocations: “The site is located close to the Strategic Road Network (SRN) and development should avoid adverse impacts on road safety on the SRN.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Axmi_22

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure the possible future relief road is protected from development, DCC requests that the policy text relating to the Axmi_22 allocation be amended to read: “This site is allocated for 100 dwellings. The site layout should make provision for a suitable access road to facilitate the development of site GH/ED/80 to the north and also be designed and built to a standard suitable for use and include land safeguarded at the Lyme Road intersection as part of a possible future relief road to link to the A358, Chard Road, south of the Weycroft Bridge. Pedestrian/cycle access should be off Loup Court, with Public Rights of Way enhancements.”

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy SD02 should identify the need for additional primary and secondary education infrastructure in Axminster and recognise this as a requirement to support the policy with the latter also supporting the wider aspirations of the plan. DCC requests that the following wording is added to Policy SD02: “Expanded primary and secondary school provision in Axminster is required to support further development in Axminster and the wider aspirations of the plan.”

Full name: Planning Policy Team

Organisation (where relevant): Somerset Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Proposed Growth at Axminster

3. It is noted that at total of at least 1,391 dwellings (down from 1,409) and 2.8 ha of employment land plus an unspecified amount of employment land as part of the mixed-use allocations on Land at Axminster Carpets (Axmi_07) and Websters Garage (Axmi_17) is proposed at Axminster. The employment allocation on land west of Musbury Road is proposed to be deleted.

4. Axminster is located to the west of the border between Somerset and East Devon. The Primary Market Town of Chard is located within Somerset approximately 11 km east of Axminster. The former South Somerset District Council previously commented on the potential impact of additional traffic generation to employment areas at Chard because of planned growth at Axminster.

5. Submitted evidence base document East Devon Local Plan 2020 – 2042 Forecast Impact on the Strategic Road Network Honiton and Axminster, January 2025 (TRI-022) has assessed the impact of proposed allocations on the junctions with the strategic road network (SRN) at Honiton and Axminster and has confirmed that there is capacity on the SRN for the proposed growth, this is welcomed. The allocation of employment land providing job opportunities along with housing should help to increase the self-containment of Axminster. No objections are raised.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Proposed Growth at Axminster

3. It is noted that at total of at least 1,391 dwellings (down from 1,409) and 2.8 ha of employment land plus an unspecified amount of employment land as part of the mixed-use allocations on Land at Axminster Carpets (Axmi_07) and Websters Garage (Axmi_17) is proposed at Axminster. The employment allocation on land west of Musbury Road is proposed to be deleted.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: Proposed Growth at Axminster

3. It is noted that at total of at least 1,391 dwellings (down from 1,409) and 2.8 ha of employment land plus an unspecified amount of employment land as part of the mixed-use allocations on Land at Axminster Carpets (Axmi_07) and Websters Garage (Axmi_17) is proposed at Axminster. The employment allocation on land west of Musbury Road is proposed to be deleted.

4. Axminster is located to the west of the border between Somerset and East Devon. The Primary Market Town of Chard is located within Somerset approximately 11 km east of Axminster. The former South Somerset District Council previously commented on the potential impact of additional traffic generation to employment areas at Chard because of planned growth at Axminster.

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has assessed the impact of proposed allocations on the junctions with the strategic road network (SRN) at Honiton and Axminster and has confirmed that there is capacity on the SRN for the proposed growth, this is welcomed. The allocation of employment land providing job opportunities along with housing should help to increase the self-containment of Axminster. No objections are raised.

Full name: Danielle Halford

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Persimmon Homes South West Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(c). If the comment is related to a site, please state the site reference here::
Axmi_22

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Strategic Policy SD02: Axminster and its development allocations

2.2 PHSW support Strategic Policy SD02: Axminster and its development allocations, with particular regard to the retention of land east of Lyme Road (Axmi_22) as an allocation for 100 homes.

2.3 It is noted that the following amendments to the Draft LP text for the allocation of the Site shown in red and underlined are proposed:

“Land east of Lyme Road (Axmi_22)

This site is allocated for 100 dwellings. The site layout should make provision for a suitable access road to facilitate the development of site GH/ED/80 to the north and also be designed and built to a standard suitable for use as part of a possible future relief road to link to the A358, Chard Road, south of the Weycroft Bridge.

Pedestrian/cycle access should be off Loup Court, with Public Rights of Way enhancements. In order to ensure no adverse effect on the integrity of the Beer Quarry

and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented.”

2.4 Whilst PHSW continue to support the continued allocation of land east of Lyme Road (Axmi_22), as detailed within previous written representations to ensure the policy is sound at examination, the requirement to safeguard land for the relief road should be removed. The suggested amendment to the draft wording for Axmi_22 is as follows:

“Land east of Lyme Road (Axmi_22)

This site is allocated for up to 100 dwellings. The site layout should make provision for a suitable access road to facilitate the development of site GH/ED/80 to the north and also be designed and built to (Delete wording - a standard suitable for use as part of a possible future relief road to) link to the A358, Chard Road, south of the Weycroft Bridge.

Pedestrian/cycle access should be off Loup Court, with Public Rights of Way enhancements. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented.”

2.5 Paragraph 6.9 of the January 2025 Local Plan Viability Assessment Addendum (CSD-004) notes that:

“Some of the allocation policy requirements reference a possible future relief road although it is understood from the Council that this is unlikely to proceed in the foreseeable future and that the requirement will require a suitable layout instead”.
[Boyer emphasis]

2.6 The November 2025 Local Plan Viability Assessment Addendum (CSD-004a) provides no further commentary regarding the delivery of the relief road. As a result, the retention of the relief road within the Draft LP is unjustified as there continues to be a lack of feasibility and viability for the ‘possible future relief road’ and is acknowledged by EDDC to be unlikely to proceed.

2.7 The Local Plan Viability Assessment Addendum (CSD-004a) notes the following detailed regarding the allocation of Axmi_22:

Table 2.1 Extract of Table 3.4 Allocations, value area and typology (CSD-004a)

Proposed Allocation	Value Area	Greenfield / Brownfield	Dwellings	Typology
In planning Land east of Lyme Road (Axmi_22) – 100 dwellings including section of relief road	VA 5	GF	100	Res5a No

2.8 PHSW are dedicated to delivering the scheme at east Axminster and the planning submission for the Site is anticipated in early 2026. Further details regarding the deliverability of land east of Axminster is provided within Section 3 of this report.

2.9 In terms of the proposed development at the Site, a pedestrian access point will be provided at the northwestern site boundary where the existing Public Right of Way (PRoW) meets Sector Lane. The application proposal also encompasses community infrastructure such as publicly accessible amenity open space, enhanced linkages, cycleways and footpaths, thereby creating a sustainable and integrated new community. This requirement for a connection to Loup Court is therefore supported by PHSW.

2.10 PHSW acknowledge the importance of ensuring there are no adverse effects on the integrity of the Beer Quarry and Caves SAC and bat activities and understand that suitable avoidance or mitigation measures will need to be identified and implemented. The East Devon Habitats Regulations Assessment (HRA) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft Plan – Autumn 2025) (CSD-006(rev)b) provides the following extracted screening of the Plan for likely significant effects, which highlights that some allocations within the landscape connectivity zone for Lesser Horseshoe Bats have been screened in on a precautionary basis for bats and supporting habitat.

Table 2.2 Extract of Table 4 of the East Devon HRA (CSD-006(rev)b)

Plan Section / Policy Description	Initial LSE Screening	Potential Risks
Comments SD02: Axminster impacts Policy allocates a number of locations all in close proximity to the River Axe. Land at Chard Road and the and development alone (River Axe combination	Strategic policy, allocation of 12 locations sites for development in	LSE. Recreation Screened in. SAC), in

or around Axminster. (Sidmouth to West Bay SAC); Loss of supporting habitat alone (Beer Quarry & Caves SAC); water quality alone (River Axe SAC) Axminster Carpet site are both very close (well within 100m) of the SAC boundary, bringing particular risks. Some allocations just within landscape connectivity zone for Lesser Horseshoe Bat (a feature of the Beer Quarry & Caves SAC), see (Jennings & Youngman, 2022) and therefore screened in on a precautionary basis for bats and supporting habitat.

2.11 It should be noted that PHSW have undertaken Ecological Reports prepared by GE Consulting who have identified that impacts on bats on Site would be negligible, and that a Habitat Management and Maintenance Plan will be produced and followed to mitigate any long-term impacts.

Local Plan 2020 to 2042 Policies Map (Second Reg 19 Consultation)

2.12 With regards to the revised Local Plan Policies Map in relation to the Site and Axminster, it is noted that land at East Axminster (Axmi_22) is designated as follows:

- Housing (100 homes under Policy SD02);
- Within settlement boundaries (Policy SP05);

- Designated Neighbourhood Area of Axminster (Policy SP03);
- River Axe Catchment Area (Policy PB04); and
- Axminster CP Parish Council Area.

Figure 2.1 Extract of the Local Plan 2020 to 2042 Policies Map (Second Reg 19 Consultation)

2.13 Whilst the Local Plan Policies Map notes the Site is designated as a Flood Zone, PHSW can confirm that following updates to the Environment Agency (EA) Flood Maps for planning in March 2025, the site continues to be wholly located within Flood Zone 1 and is therefore at low risk. In addition, the EA flood maps indicate that there are some areas of potential surface water flood risk. However, all areas of development at land east of Axminster are located in Flood Zone 1 outside of areas at risk of surface water

flooding. PHSW therefore request that the Local Plan Policy Map be updated accordingly to ensure that ‘Flood Zones’ are not a designation for Axmi_22.

2.14 On further review of the updated evidence base, there has been no additional evidence provided to demonstrate that the Axminster relief road is essential to mitigate the impacts of development within Axminster. In addition to confirmation from EDDC that it is unlikely that the relief road will come forward within the next plan period, the necessity for a relief road at this stage should be removed from site specific allocation.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): CG Fry & Son Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Axmi_02, Axmi_08, Axmi_09

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Our client continues to fully support the allocation of the site for residential development and most of the proposed changes to the allocation policy but continues to dispute the proposed employment uses and community hall. In respect of the additions to the policy we comment as follows: Archaeology and Heritage We confirm a programme of phased archaeological field evaluation as required by the amended policy wording is underway as agreed with the Devon County Council Archaeologist. Masterplan requirements The 7 points listed in the policy with our comments are set out below: Requirement 1. Secure public transport improvements and provide active travel links to the town centre, railway station, the existing road network and public rights of way; Comment While consideration of public transport improvements and active travel links is reasonable there are concerns that the current wording is too prescriptive. Any measures should be informed by the transport assessment work in the context of what is reasonable and necessary from a highway perspective, and how such measures can best be delivered. Some measures for example may be for other to deliver with appropriate contributions. Requirement 4. Create a public open space in the northern part of allocation Axmi_02 provisioned with appropriate publicly accessible heritage information that enhances and better reveals the significance of the Roman and Romano-British settlement here; Comment The heritage sensitivity of the site is fully appreciated, and it is acknowledged that this will be an important consideration for the future layout and design. However, as with point 1 this is considered overly prescriptive in terms of how the scheme should address the asset through directing what type of development should be carried out within its setting. This should instead be informed by a proportionate Heritage Assessment which could identify a different but

nonetheless acceptable approach, but which would be precluded by the strict policy wording. Heritage impact is also addressed by point 6. Requirement 5. Across the wider development include high quality accessible green space that is well related and sympathetic to protection of archaeological interests and their setting within the development and attractive, legible links from the site to the wider footpath network

Comment This point is not considered necessary as heritage impacts are dealt with by point 6. As above this is overly prescriptive. The quantum of open space should comply with policy requirements and the location informed by the appropriate technical assessments.

Beer Quarry and Caves SAC The consultation zone for the Beer Quarry and Caves SAC only affects the very southern edge of the site Given the consultation zone affects such a small part of the site and impact on bats would be assessed as part of the normal level of ecological assessment, is it not considered this needs to be specifically referenced. Even if the reference were retained it should be reworded to note the need for assessment at application stage and if necessary, mitigation measures taken, not ‘will need to be identified’ as a blanket requirement.

Employment We reiterate our concerns with the proposed employment allocation on the site on the basis of the significant over provision of employment land proposed in the local plan in comparison to the identified need. It is noted that the supporting text to Policy SP04 at para 3.27 has been amended to refer to additional employment land being required to “...address past under provision. ... improve self-containment in existing settlements and offer flexibility and choice to the market”. While an element of flexibility in a policy to provide a buffer is reasonable it is not considered a provision of 175.16 ha against an identified need of 80 ha is justified. Even if a very generous 20% buffer were applied this would only equate to 96 ha of employment land. It is noted that the revised housing buffer is only 12.18% but this is noted as a “healthy headroom” at Section 3.12. The additional text does not provide sufficient justification for this markedly greater level of overprovision. All previous comments regarding the approach to interspersed employment allocation on this and other sites, irrespective of whether the site are suitable for such uses, and the proposed allocation of the Axminster Carpets (Axmi_07) which would be a loss of employment land, remain valid.

Community Hall All previous comments regarding the lack of justification for a community hall on the site and concerns regarding the viability of such a facility remain valid.

Highways Measures All previous comments regarding the reference to the provision of off-carriageway bus stops on Musbury Road remain valid.

Requested Changes The following further changes are requested to the site allocation policy to meet the NPPF tests of soundness - deletions in square [] brackets and deletions in normal () brackets. This land is proposed for [438] (430) dwellings, [1.6 hectares of employment land and a community hall or meeting place.] A programme of phased archaeological field evaluation will need to be undertaken prior to the submission of a planning application to be undertaken in accordance with an agreed Written Scheme of Investigation to understand the presence and significance of any archaeological remains that will be affected by the proposed

development. This allocation will need to come forward on the basis of an agreed masterplan for the whole site that clearly demonstrates how comprehensive development will be undertaken and implemented. The masterplan will be informed by the findings of the archaeological field evaluation and will demonstrate how development will:

1. [Secure] (Consideration of reasonable) public transport improvements and active travel links to the town centre, railway station, the existing road network and public rights of way as informed by an appropriate technical assessment
2. Address the site's built environment, heritage and landscape setting;
3. Address flooding; [4. Create a public open space in the northern part of allocation Axmi_02 provisioned with appropriate publicly accessible heritage information that enhances and better reveals the significance of the Roman and Romano-British settlement here;
5. Across the wider development include high quality accessible green space that is well related and sympathetic to protection of archaeological interests and their setting within the development and attractive, legible links from the site to the wider footpath network.]
6. Conserve the setting of the Scheduled Ancient Monument and associated archaeological remains and addresses how adverse effects can be minimised and made acceptable and heritage-related public benefits realised;
7. Establish a strong sense of place. Highways access shall be taken from the A358 Musbury Road. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes. In particular, it should explore opportunities to provide [offcarriageway] bus stops on Musbury Road to improve sustainable travel options. The site is located close to the statutory road network and development should avoid adverse impacts on road safety on the National Highway. There shall be no pedestrian access to the A35. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Emma Morrison

Organisation (where relevant): Pegasus Group

Other party name (if relevant): The Co-op Group Food Ltd.

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Axmi_23

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Para 5.4 sets out the approach to development in Axminster. It is noted that proposed residential allocations are identified, totalling 1,086 homes. Some sites are also small, with the smallest looking to deliver just 6 dwellings.

4.17. In light of this, Co-op object to the wording of this policy. The proposed allocations provide for up to 1,086 dwellings which appears to fall short of the minimum housing requirement in Axminster (1,391 in Policy SP03). There is also insufficient detail within Appendix I of HOU-003 to support the decisions of the Council. Furthermore, this evidence and certainly the trajectory needs to be fully updated to support the upcoming Examination in Public to ensure that East Devon can demonstrate a 5 year housing land supply at the point of adoption and sufficient homes across the Plan Period.

4.18. Currently, it cannot be considered positively prepared, and it is not considered compliant with the NPPF in this regard.

4.19. In addition, it does not include the Co-op site for alternative uses, despite it being submitted as a residential opportunity in 2022 and it now includes the vacant former Co-op foodstore.

4.20. Included in those sites that are proposed to be allocated is Axmi_23 – Websters Garage which is allocated for 10 dwellings as part of an unspecified 'mixed use' development. No specific requirement is set out for the provision of retail or

commercial floorspace despite the fact that the site is located in the heart of the proposed TCA and PSA.

4.21. At the time it was assessed, there was an undetermined application for the redevelopment of part of the site to provide a convenience store with 9 no. dwellings above (ref. 22/2322/OUT), however this application was never determined and the site has since been occupied by the relocated Co-op store following the approval of planning permission ref. 24/0157/FUL for alterations and extensions to the existing building.

4.22. It is considered, therefore, that the potential for the site to come forward for residential development is therefore limited. The Axminster Site Selection Report (SAL-005) does not set out how it is intended to reconcile the conflict with the current proposed wording of Policy SE06 to deliver dwellings on this site, nor is it apparent why a different approach has been taken in the consideration of this site to the Co-op site. For Axmi_23, the reasons for allocating note the site's proximity to services and facilities as a positive consideration which is markedly different to the approach taken in the consideration of Axmi_16 (the Co-op site).

4.23. To ensure that this policy is positively worded and complies with para 36 of the NPPF, the full development needs should be addressed, the trajectory fully updated which will likely require the identification of more residential sites in Axminster.

4.24. As part of this, given the evidence of the Council confirms there are no technical issues it is just the draft plan's change to the town centre boundary, the Co-op site needs to be formally identified as a residential allocation, capable of accommodating at least 10 dwellings (but could contribute 20, if an apartment scheme is taken forward) towards the minimum housing requirements to be delivered in Axminster.

4.25. Given the immediate availability of the site, this could be brought forward at an early stage in the Plan Period, making an important contribution to help to address the identified shortfall of approximately 300 dwellings in Axminster.

4.26. However, if it is decided not to allocate the site, then it should be removed from the Primary Shopping Area to ensure that there is the maximum flexibility in policy to allow the site to come forward for housing as an unallocated site in the event that this is determined to be its best option for redevelopment in the future.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Susan Gallagher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Axmi_02, Axmi_08, Axmi_09

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

I am not qualified to say one way or another but it does not feel as if enough consideration has been given to this for it to be legally compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is essential that the “northern part” of AXMI_02 is clearly and unambiguously identified and labelled on the plan. The submission should include a robust impact analysis of the archaeological constraints affecting the whole site, access to the site and also to the number of houses that are proposed. It must demonstrate how these constraints have been assessed, what changes may be required, and whether they could affect the feasibility, timing, or design of a suitable access arrangement.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This was covered in my previous submission in the first consultation. None of those issues were addressed and all are still relevant.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: All are included in my comments above.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I feel it does not address anyl broader aspects and the full impact on Axminster as a whole.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am an Axminster resident and I feel very strongly that the town must move with the times and continually improve. However, I feel that this shouldn't be at the expense of its existing residents in all the ways stated in my previous submission.

Full name: Roger Gallagher

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Axmi_02, Axmi_08, Axmi_09

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Not in a position to say as not legally qualified

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Not in a position to say as not legally qualified

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is essential that the “northern part” of AXMI_02 is clearly and unambiguously identified and labelled on the plan. The submission should include a robust impact analysis of the archaeological constraints affecting the whole site, access to the site and also to the number of houses that are proposed. It must demonstrate how these constraints have been assessed, what changes may be required, and whether they could affect the feasibility, timing, or design of a suitable access arrangement.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This

was covered in my previous submission and is still valid and has not been fully addressed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Included in my comments.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I feel it does not address the broader aspects of full impact of Axminster.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: As an Axminster resident I am passionate about improving the well being of Axminster and the people that live and work here. Planning is a key element.

Full name: Sabra Gardner

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Axmi_02, Axmi_08

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I

have previously mentioned the issues with transport, flooding, SWW infrastructure, Bat populations and archeology. Recently, field archeological investigation has confirmed the significance of the proposed allocations as sites of significant historical importance. The site selection report sets out the opposition to inclusion of Axmi_02 in particular for development and discusses the northern part being NOT developed but a public heritage site created. The limited archeology so far has already uncovered the significance of the site - and therefore all these sites should be removed from allocation plan so as to preserve the historic space for the community. Even if the northern section of Axmi_02 was preserved as a public heritage site - developing right next to this would create further issues of damage, flooding, access, noise. There is no outline of the area that should be not developed so it is not clear how much of Axmi_02 would not be developed?

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Following the Site Survey report after the initial archeological investigations - it is clear that Axmi_02 would not be suitable for development as it would be a high risk to the preservation of heritage

assets. Suggesting the northern area should not be developed would not remove the affect on the heritage significance - and no new area showing the new public heritage site has been put forward. Developing near such a historically important area should not be considered - rather preserving the heritage site for the community would be a positive improvement for Axminster. Even if full archeological investigation of the whole area was a requirement for any future developer - this would not mitigate against the impact construction would have on the heritage preserved area - not to mention the other issues such as flooding, access, bat activity. Axmi_02 & Axmi_08 should be removed as unsuitable from the allocation plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I dont believe that development and inclusion of Axmi_02 & Axmi_08 complies with co-operating with other agencies who have already demonstrated how these allocations are unsuitable based on heritage impact (HE & DCC) and the environment (Environment Agency).

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Ware

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
GH/ED/83

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: This development is too near to 2 water courses which the land drains into. It is totally unsuitable for development and should be left as parkland/ farmland. There is wildlife along the River Axe corridor (an area of S.S.S.I.) that would be effected by this development. The development at Cloakham has already put considerable strain on the area for exacerbating flooding into Willhayes lane, The Cricketers and Willhayes Park.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This development should not go ahead in this area. There is not enough parkland and amenity areas in Axminster, so this area should be kept as it is. This will also reduce any pollution into the waterways, helping to keep wildlife safe.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This development should not go ahead in this area. There is not enough parkland and amenity areas in Axminster, so this area should be kept as it is. This will also reduce any pollution into the waterways, helping to keep wildlife safe.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This development should not go ahead in this area. There is not enough parkland and amenity areas in Axminster, so this area should be kept as it is. This will also reduce any pollution into the waterways, helping to keep wildlife safe.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Over development in an area that is not suitable. Removing much needed amenity land.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Axmi_23

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We support the changes to the wording of this policy to ensure that the character and appearance of the conservation area is conserved and enhanced.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Axmi_02, Axmi_08, Axmi_09

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please refer to our comments on the Regulation 19 Local Plan consultation, which outline the significance of Roman archaeology in this location and potential impacts on it. We wish to reiterate the potential for considerable harm, both to non-designated archaeology potentially of equivalent significance to Scheduled Monuments, and to the setting of the adjacent Scheduled Monument, which may render this site unsuitable for development.

The revised site allocation policy includes a number of commitments which we broadly welcome, including:

- for archaeological field evaluation prior to the submission of a planning application
- that a masterplan for the site should be informed by this
- that development should conserve the setting of the Scheduled [Ancient] Monument and associated archaeological remains and address how adverse effects can be minimised and made acceptable and heritage-related public benefits realised;

However, it has not yet been demonstrated that the aims of the policy are achievable. We are aware of ongoing field evaluation on land within the proposed site allocation. Until the conclusions of this work are published and used to inform a concept

masterplan, we do not consider it has been demonstrated that the site allocation policy, range of uses and quantum of development are justified or effective.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This site allocation should be prioritised for removal from the plan, unless it can be demonstrated that the policy is justified and effective, on the basis of proportionate evidence.

When adequate information is available, consider whether the site should be removed from the plan, or whether adjustments to the proposed use, mix, or quantum of development can be made to secure an appropriate form of development.

We strongly question whether any employment land can be justified in this location, given the potential harm to heritage in the context of over-allocation of employment land within the plan generally

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Axmi_01a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the removal of this site from the plan as there are known areas of archaeology in the vicinity

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Axmi_01a, Axmi_02, Axmi_08, Axmi_09

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Amendments to Chapter 5 ('Development in the Towns and Villages') of the Publication Draft document ('tracked changes') are mostly outside of the interest of National Highways. As such we have few additional observations and would refer the Council to our original comments on this section in our March 2025 response. 34. Nevertheless, it was previously identified that Strategic Policy SD02 seeks to allocate sites in Axminster with selected allocations appearing to bound the A35 corridor either side of the Abbey Gate junction. It was previously identified that the concentration of development alongside the Abbey Gate junction and the single carriageway nature of the A35 at this location could give rise to road safety issues due to additional turning movements. We now note that the proposed allocation at Land west of Musbury Road (Axmi_01a) has been removed from the Publication Draft. We also welcome the additional reference to SRN interests under the Land east of Musbury Road (Axmi_02, Axmi_08 and Axmi_09) proposed allocations.

Full name: Craig Hatton

Organisation (where relevant): Network Rail

Other party name (if relevant): Network Rail

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD02

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::

Axmi_02, Axmi_08, Axmi_09

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

NR supports the inclusion of securing public transport improvements within paragraph 1 of the draft Policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Parking is however becoming an increasing challenge at the railway station despite active travel measures and will potentially need to be expanded within the lifetime of the plan, especially if there is significant development in adjacent areas such as Chard. We would welcome a constructive dialogue with EDDC and adjacent landowners to explore options to achieve this and to make appropriate amendments to policies in the Local Plan if considered necessary to support this.

SD03

Full name: Cllr Roy Collins

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Honi_18

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I wish to be represented at the forthcoming public examination E.D.D.C, new local Plan? I attended nearly all of East Devon District Council strategic planning meetings since been elected in 2023 When it came to selection of individual sites for inclusion in the plan at those meetings, I was not allowed to comment or put my views forward and less they concerned Honiton Saint Michaels ward. The two counsellors for Honiton, Saint Paul's Ward do not live here One counsellor Lives in Ireland, the other one in Exmouth they seem to have no interest in Honiton at all. Honi 18. Which is in Saint Pauls Ward, strategic planning meeting 29th of October 2024 had no input from Honiton District, counsellors or town, counsellors or general public as this plan was sneaked in at regulation 19. Nobody knew about it before the meeting as it only came before the district Council in June, do look at this meeting on YouTube and you will see what I mean. I wish to register to speak public examination on all plans allocations for East Devon Particularly plans concerning Honiton. I also wish to register to speak about loss Of agricultural land in the whole of East Devon, including Newtown, marlcombe . Register to speak about lack of infrastructure ,Transport, accommodation for single people Education, Water cycle study report. Lastly, how difficult it has been to respond, I have spent many hours trying to use commonplace I've not had any success. That's why I've had to do this email. I can't see public been able to understand common place. If I can't as a counsellor I'm sure members of the public will not be able to.

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Gitti_03, Gitti_04, Honi_07, Honi_13, Honi_18, GH/ED/39b

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Gitti_3, 4 and 5: 310 homes within or adjoining the NL • Honi_07 and Honi_13: 40 new homes inside the NL, so difficult to mitigate harm on smaller sites • Two other Honiton developments are close to NL boundary (Honi_18: 136 homes and GH/ED/39b: 195 homes) Most, if not all, of these sites cannot be justified as exceptional circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy SD03 should reflect the need for improved secondary education facilities in Honiton and recognise this as a requirement to support the policy and wider aspirations of the plan. DCC requests that the following wording is added to Policy SD03: “Improved secondary school facilities in Honiton are required to support further development in Honiton and the wider aspirations of the plan.”

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Waldrons (SW) Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Gitti_03, Gitti_04 and Gitti_05

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Please see previous representations submitted to the reg19. consultation which still apply and are valid. The allocation is in our client's ownership. The current version of the policy has included additional text requiring consideration of and landscape matters which will require any scheme to include the planting and maintenance of additional hedgerows and small areas of woodland.to conserve and enhance the natural beauty of the site and its wider national landscape setting. The Estate are supportive of this approach which will allow the development to further integrate with the surrounding landscape character.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See original submissions - no further comment.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To explain the merits of allocating this site, should this be necessary

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Combe Estate

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Gitt_03, Gitti_04, Gitt_05

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

The inclusion of Gitti_03, Gitti_04 and Gitti_05 for mixed use development is clearly supported as it represents a logical approach to development and growth to the west of Honiton, noting:

- the position of Honiton within the settlement hierarchy for East Devon;
- the sustainable transport options and overall level of services and facilities in the town;
- the proximity of the site to the A30 COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 2
- The location of the site relative to existing jobs and food retail provision within the town of Honiton;
- The constraints that exist elsewhere in the settlement (for example this site can be delivered entirely outside of the AONB). Strategic Policy SD03 is considered to be sound, though we would recommend some modest tweaks/changes to wording. The specific policy allocating Gitti_03, Gitti_04 and Gitti_05 states; “Land west of Hayne Lane (Gitti_03, Gitti_04 and Gitti_05) Land to the west of Hayne Lane, on the western side of Honiton, is allocated for a mixed-use development to provide: A. 310 homes; and B. 14.6 hectares of land to accommodate employment and community uses. This

allocation will need to come forward on the basis of an agreed masterplan for the whole site that clearly demonstrates how comprehensive development will be undertaken and implemented. Southern parts of the site are in the East Devon National Landscape and this area will require very careful design to take account of its landscape setting. On the western edges the site is close to the historic village of Gittisham and particular sensitivity will need to be attached to preventing adverse heritage impacts. These southerly and westerly parts will be best suited for open space uses. Commercial and employment uses will need to be concentrated to the north of the railway line bisecting the site with residential uses to the south. Community facilities, to include a shop or shops and a hall, will need to be provided within or next to 84 residential parts of the development. There will be the need for attractive and safe pedestrian and cycle linkages between the southern and northern parts of the site (ideally utilising an existing passage under the railway that lies in a roughly mid-way point in the allocation). It is expected that vehicular access to the residential development will be via the existing estate to the north (i.e. via Meadow Acre Road). Vehicular access to the employment development will need to come via Hayne Lane. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes, including bus services.” In terms of the objectives of the policy we would draw attention to the masterplan submitted in support of the current representation. We would ask that it is noted that: COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 3

- The Estate are committed to seeing the site delivered for a minimum of 310 homes.
- The Estate are committed to delivering the area of land to the north of the allocation which comprises part of the 14.6 hectares of employment and community uses (note part of this is land owned by EDDC) – however, additional flexibility should be built into the definition of uses permitted in this part of the policy to include wider commercial uses and leisure uses.
- The need for masterplanning of the sites is noted, and this can be controlled in-part, through an outline planning application.
- The development can be accommodated without being located within the East Devon National Landscape and account can be taken of landscape setting.
- Similarly, the evolving masterplan takes account of the topography and proximity of the historic village of Gittisham on the western edge the site which has taken account of topographical features and heritage assets.
- Both of the areas above can be utilised for BNG delivery and open space to ensure appropriate setting is retained for heritage assets and landscape designations.

- The Estate are happy to provide community facilities, to include a shop or shops and a hall as part of any wider masterplanned development.
- The importance of attractive and safe pedestrian and cycle linkages between the southern and northern parts of the site are also noted and deliverable.
- In terms of vehicular access to the residential development – this should not be solely from Meadow Acre Road – which is located within an adjacent development. Access will be available from Hayne Lane (as per transport / access notes submitted at the Reg.18 stage) and shown on the masterplan, with a secondary route potentially available from Higher Ash Close. As such, the allocation of the site for residential development is sound and supported by appropriate officer assessment in the submitted evidence base.

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Combe Estate

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Honi_07

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please see previous representations submitted to the reg19. consultation which still apply and are valid. The current version of the policy has reduced the size of the allocation to 30 dwellings - this land is in our client's ownership. You will see in our previous reps, that this is the basis on which our client's site was promoted, and a scheme of 30 dwellings is deliverable, with the benefits of Honi_07, being:

- delivering development in an incredibly sustainable location in terms of proximity to public transport and the service and facilities in the town.
- It is a small site that can be built out quickly, as a single phase which can assist with housing land supply
- The site can take its own access safely from the site frontage of Waterleat Avenue with no impact on the highway network
- It delivers 30 houses, as per the indicative layout previously provided.

- Provides attractive ecology, landscape, open space buffers on the south and east boundary, which mitigates impacts on heritage assets and the National Landscape
- Opportunities for planting reinforcement along the boundary with Waterleat Avenue
- High quality public open space and drainage features will be secured which provide setting for the adjacent listed buildings

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See original submissions no further comment.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To explain the merits of allocating this site, should this be necessary.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
GH/ED/39a, GH/ED/39b

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: [To be read with other representations by same re. SD03 / sites GH/ED/39a and GH/ED/39b entered into Commonplace which include the majority of the wording and images in the attachment with this entry]:

STRATEGIC POLICY SD03: LAND SOUTH OF NORTHCOTE HILL – SOUTH OF THE RAILWAY LINE:

These representations and accompanying Technical Notes demonstrate that the current draft allocation at Land South of Northcote Hill – south of the railway line (GH/ED/39a), which restricts the capacity of the site to 195 homes, does not constitute effective use of land or optimises the use of land to accommodate an appropriate amount and mix of development (in accordance with NPPF 2023; Paragraph 135e).

The Draft LP policy for land south of the railway line (GH/ED/39b) must be increased to at least 299 homes for the following reasons:

- It would make efficient use of the site in accordance with national policy;

- It would enable the site to support additional uses in the form of a community park and additional facilities such as a neighbourhood hub, as well as making a more meaningful contribution towards EDDC's housing land supply and meeting the housing needs of East Devon in a sustainable location;
- The site is being promoted by a national housebuilder that is committed to delivering homes in the short-medium term – a planning application has already been submitted to East Devon District Council for a development of up to 299 homes. Increasing the quantum of development on this allocation would ensure the draft LP delivers sufficient homes throughout the first part of the Plan period to meet its needs, noting the concerns raised regarding the delivery assumptions of the new settlement east of Exeter.

To ensure the draft LP makes the most efficient use of land, it is reiterated that the draft allocation should be revised as follows [see 3(c)].

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Land south of Northcote Hill – south of the railway (GH/ED/39b): This site is allocated for at least 299 homes and will form a medium-scale residential extension on the eastern side of Honiton. Parts of the site are on more elevated ground and development will need to be sensitively planned to avoid adverse impacts on the nearby Blackdown Hills National Landscape area. Vehicular and pedestrian access improvements would be required, incorporating Northcote Hill into development. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

GH/ED/39a, GH/ED/39b

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

*** Personal details have been removed *** fully supports the Draft LP's recognition and identification of Honiton as a Tier 2 settlement and a sustainable location for future growth and development.

It is welcomed that land at Northcote Hill (north and south of the railway line) is identified as two draft allocations within the Draft LP (GH/ED/39a and GH/ED/39b). *** Personal details have been removed *** supports the principle of these allocations and can confirm that both sites are suitable and available for development. *** Personal details have been removed *** has submitted a planning application for each of these sites and are committed to their delivery. Both sites can contribute to the Council's immediate housing land supply.

We discuss each of these allocations in turn below [see 3a below and 3b]. While *** Personal details have been removed *** continues to support the allocations of both GH/ED/39a and GH/ED/39b, it is reiterated that the quantum of development allocated for GH/ED/39b must be increased.

Land south of Northcote Hill (north of the railway line) (site reference - GH/ED/39a): The policy has been amended to increase the allocation from 100 dwellings to 115 dwellings. This increase is welcomed by *** Personal details have been removed *** .

This site is allocated for a total of 115 homes and will form a medium-scale residential extension on the eastern side of Honiton. Vehicular and pedestrian/cycle access improvements would be required. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes. This allocation is wholly supported by Taylor Wimpey. An outline planning permission was resolved to be approved by EDDC's Planning Committee in 2023 for the development of up to 115 homes, public open space, sustainable drainage systems, landscaping, vehicular access via Tunnel Lane and associated highways improvements and infrastructure. The proposed development was for up to 115 homes. A decision notice is due imminently.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Land south of Northcote Hill (south of the railway line) (around 195) (site reference – GH/ED/39b):

This site is allocated for a total of around 195 homes and will form a medium-scale residential extension on the eastern side of Honiton. Parts of the site are on more elevated ground and development will need to be sensitively planned to avoid adverse impacts on the nearby Blackdown Hills National Landscape area. Development should be informed by detailed assessment and design work to maximise opportunities to conserve and enhance the natural beauty of the site and its wider national landscape setting. The scale (particularly height), design, lighting and materials of new development should be appropriate to the Blackdown Hills National Landscape. There should be no development on land above the 160m contour.

Provision should be made for suitably landscaped areas of open space with circular walks throughout the site, giving particular attention to the relationship with the national landscape. Vehicular and pedestrian access improvements would be required, with Northcote Hill integrated into the development layout to ensure safe and effective connectivity. The development will need to maximise opportunities for localised improvements and contributions to enhance sustainable travel modes.

The Draft LP has uplifted draft allocation GH/ED/39b from 100 dwellings to around 195 dwellings. Whilst *** Personal details have been removed *** supports the allocation of the site for residential development and the increase in allocation capacity, it must be reiterated that the site has capacity for at least 299 homes, and the draft allocation capacity must be increased accordingly [to at least 299 homes]. *** Personal details

have been removed *** has recently submitted an Outline Application for residential development up to 299 homes which is accompanied by a full suite of technical work (summarised in Section 4 of these representations [see attachment - and also inputted here in 3b and 3c]) that confirms the site can comfortably accommodate a significantly higher quantum of development. A comprehensive suite of technical assessments has recently been undertaken, which confirms that the site can accommodate a significantly higher quantum of development, while delivering an extensive community park and other public benefits, including a neighbourhood hub. The submitted planning application illustrates how a landscape-led development approach, incorporating residential provision alongside extensive areas of public open space, including a new community park, can accommodate up to 299 homes on part of the site.

In preparation of the Outline planning application, *** Personal details have been removed *** undertook a pre-application enquiry in relation to the proposed development of up to 299 homes. This engagement included meetings with Devon County Council (DCC), as Highways Authority, East Devon Planning Team and Landscape Officer. The capacity of the site was discussed and DCC confirmed the access proposals and off-site works were acceptable. The illustrative masterplan was also discussed with the Landscape Officer who provided minor comments on the provision of additional tree planting, which was incorporated within the scheme prior to application submission.

Increasing the draft allocation to at least 299 homes would represent a more efficient use of land, with a development that could deliver significant areas of public open space, and other public benefits including a neighbourhood mobility hub. The enclosed concept masterplan demonstrates how a landscape-led development, with homes provided alongside extensive areas of public open space, including a new community park, can deliver at least 299 homes.

There are no technical constraints that could impede the delivery of up to 299 homes on this site (GH/ED/39b).

This increase is essential for ensuring that the allocation (and future scheme) makes effective use of the land and optimises its potential to accommodate an appropriate amount and mix of development as well as making a meaningful contribution towards meeting housing needs in East Devon (in accordance with NPPF 2023; Paragraph 135e). Increasing the number of homes on land south of the railway line will enable the

proposed development to provide much needed homes, the potential for a mobility hub and significant public open space. Together, GH/ED/39a and GH/ED/39b can deliver a sustainable new neighbourhood to the east of Honiton, providing at least 400 homes. In doing so, the proposed allocations would significantly contribute towards the Council's housing land supply, in accordance with the Council's spatial strategy.

In December 2025, *** Personal details have been removed *** submitted an outline planning application for up to 299 dwellings, open space and infrastructure on land south of the railway line. The application is awaiting validation. This application was supported by a full suite of technical information, demonstrating that the site can accommodate up to 299 dwellings, whilst remaining sensitive to its landscape context.

The proposed development was subject to pre-application engagement with Devon County Council as highways authority and East Devon Planning Team and Landscape Officer. An illustrative masterplan depicting the proposed development is shown below [see attachments].

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Increasing the draft allocation to at least 299 homes [see 3b].

These representations should be read alongside the concept masterplans, which have been informed by the site's technical surveys and assessments and support an increased quantum of development. These representations should also be read in conjunction with the full suite of technical information submitted in support of both planning applications on sites GH/ED/39a and GH/ED/39b.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Honi_10

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: *** Personal details have been removed *** fully endorses the allocation of site Honi_10 but considers that the policy should be amended to reflect that the site has outline consent granted 14 August 2025 under application 23/1897/MOUT. The following further changes are requested to the site allocation policy (deleted text struck through and new text underlined in red): This land is allocated for 21 homes and benefits from an existing outline consent which demonstrates that 21 homes can be delivered on the site and will form a small-scale development on the northern side of Honiton.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Obsidian Strategic Asset Management

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Honi_18

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Our client continues to fully support the allocation of the site for residential development but does have some concerns with the additions to the policy as follows: National Landscape Impacts The relationship of the site to the National Landscape (NL) is fully appreciated and it is acknowledged that this relationship will be an important consideration for the future layout and design. However, the additional paragraph that has been added to the policy by requiring development to “conserve and enhance” the natural beauty of the site and its wider national landscape setting does not fully align with the NPPF1 and NPPG2. The NPPF Para 189 is clear, requiring that "development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." (The current draft NPPF repeats this distinction). The NPPG builds on the above. Paragraph: 041 (Reference ID: 8-041-20190721) identifies the need for development within a NL (previously referred to as ‘Areas of Outstanding Natural Beauty’ within the NPPG) to be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty. However, the bar is set lower for developments that are not within, but within the setting of a NL, as in the case of this site NPPG Paragraph: 042 (Reference ID: 8-042-20190721) instead states that developments within the setting "need sensitive handling" to take potential impacts into account. It also noted that there is an element of inconsistency with how this matter is addressed in the other proposed Honiton allocations:

- Land west of Hayne Lane (Gitti_03, Gitti_04 and Gitti_05) – falls partly within the NL but has the same wording that has been added to Honi_18.

- Land adjacent to St Michaels Church and south east of Cuckoo Down Lane (Honi_07) – falls wholly within the NL but only references the “the scale, design, lighting and materials of new development being appropriate to the Blackdown Hills NL”.
- Land at Middle Hill, Church Hill (Honi_13) – falls wholly within the NL but has the same wording as Honi_07.
- Land south of Northcote Hill – south of the railway (GH/ED/39b) – is outside of but within the setting the NL but has combines the wording used in both Honi-18 and Honi-07. While the importance of the NL is fully recognised how these policies are worded in terms of the approach to development within the NL as compared to development within the setting of NL should be distinguished and consistent. Heritage Impacts The relationship of the site to the Grade II listed Copper Castle toll house and associated gates is fully appreciated and it is acknowledged that this relationship will be an important consideration for the future layout and design. However, the additional paragraph that has been added is considered overly prescriptive in terms of the significance of the asset and how the scheme should address the asset through directing what type of development should be carried out within its setting. This should instead be informed by a proportionate Heritage Assessment which could identify a different but nonetheless acceptable approach, but which would be precluded by the strict policy wording.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The following further changes are therefore requested to the site allocation -deleted text in square [] brackets and additional text in normal () brackets.

The site is adjacent to the Blackdown Hills National Landscape. [and development should be informed by detailed assessment and design work to maximise opportunities to conserve and enhance the natural beauty of the site and its wider national landscape setting. The scale (particularly height), design, lighting and materials of new development should be appropriate to the Blackdown Hills National Landscape.] (Development proposals should therefore be sensitively handled, informed by detailed assessment and design work to avoid or minimise adverse impacts on the designated area. The site is also adjacent to the grade II listed Copper Castle former toll house and associated grade II listed gates. [These heritage assets form a legible entry point to Honiton and development should seek to conserve and enhance the significance of

these assets. The higher ground to the south of the site should be kept open. and the proposed junction carefully located and designed to protect landscape and heritage interests.] (The development should seek to conserve and, where possible, enhance the significance of these assets. The design of the proposed development, including the design and location of the proposed access junction, should respond to the topography of the site and the significance of the heritage assets.)

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Andrew and Philip Cork

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Honi_01, Honi_15

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
[This representation also relates to Development in the Towns and Villages chapter paragraphs 5.5 to 5.6 inclusive]

We are disappointed that the Part 2 Regulation 19 Consultation continues to overlook additional opportunities for housing provision at Honiton (including sites previously identified at earlier stages of the Plan). There remains additional capacity at Honiton for further sites to come forward that can benefit from existing infrastructure and accessibility. This would provide greater resilience to the Plan as a whole, particularly in light of the uncertainties around Marcombe and other larger allocated sites. It would also support housing delivery earlier in the Plan period.

Land at Heathfield Manor (previously Honi_01 and Honi_15): [see attached sketch plan]
We set out in previous representations made on the initial Regulation 19 Plan the inconsistencies, errors and failures of the site selection process that led to the Heathfield Manor site not being appropriately considered or assessed in respect of its suitability for supporting housing growth at Honiton. This meant that a site, previously identified partly as a draft allocation (Honi_01) in the Plan and initially supported by officers as an extended site (Honi_15) within the published recommended sites for the

Regulation 19 Plan (before the report was withdrawn and replaced just prior to the meeting), was left out of the Plan without any justification.

Please refer to our initial Regulation 19 representations for the timeline and further evidence to support our concerns regarding how the site has been treated and the inconsistencies of the site selection process overall. In summary, the key points are:

- The site (Honi_01) was included in the Regulation 18 Plan as a draft allocation;
- The HELAA did not identify any inherent constraint, whilst acknowledging it's location within the National Landscape;
- The site was considered achievable and deliverable within the first 5 years of the Plan;
- Wider scheme (Honi_15) promoted at further Regulation 18 stage with masterplan submitted;
- Supported by officers and recommended for inclusion at Regulation 19 Site Selection process and included in Site Selection Report to be reported to Strategic Planning Committee (SPC);
- This report was withdrawn after publication a few days before the SPC meeting and advised that it would be given further consideration;
- Information presented to the SPC meeting was inaccurate and Members did not appear to understand what they were considering (Honi_01 or Honi_15); and
- Members did not take forward Honi_01 or Honi_15 in the Regulation 19 Plan, despite Honi_01 being previously a draft allocation.

The only reason given for the site's exclusion has been its location within the National Landscape. This ignores the fact that the site was previously identified as a draft allocation despite its location within the National Landscape and that other sites in Honiton are allocated within the extent of the National Landscape boundaries. Indeed other sites across the District have also been allocated, including Exmouth and Sidmouth, and also lower order settlements such as Newton Poppleford and Sidbury etc. We maintain our view that if this is not a principle reason to exclude sites in those lower tier places then it would be unreasonable to rule sites out at Honiton given the town's greater role for accommodating growth. The boundary of the National Landscape does not follow the settlement boundary and there are already significant parts of Honiton that falls within the boundary of the National Landscape designation.

Furthermore, it is noted that the Council has published a topic paper alongside the Part 2 Regulation 19 Plan consultation which considers major development in National Landscapes and seeks to justify the sites to be included within the Plan where these are within or adjacent to the National Landscape. Honi_15 is referred to as a rejected site and dismissed as an alternative on the basis that there would be significant landscape impacts. This is contrary to the evidence previously provided in support of the site and the Council's previous position in respect of its part draft allocation and the initial support from officers.

The topic paper provides no further evidence of a comparative assessment between those sites included in the Plan within the National Landscape and our clients' site. The paper then further justifies the inclusion of the other sites on the basis that the purposes of the National Landscape to conserve and enhance its natural beauty could be advanced through careful design, landscape retention and reinforcement, materials and scale. All matters relevant to Honi_015 and demonstrated through the submission of masterplanning work.

This identified clear opportunities for landscape and habitat enhancement through a wide network of green space and green corridors, public open space, extensive landscape features and blue infrastructure that would provide substantial benefit in enhancing the transition from the National Landscape and the urban form of Honiton. This would significantly improve the current relationship and landscape setting and is a clear benefit of the Heathfield Manor scheme.

No reference is made to this masterplanning work that has been submitted to the Council for Honi_15, despite similar framework design work being used to justify inclusion for other sites in the National Landscape. This again flags the inconsistency of approach to site selection and the absence of clear and robust evidence that underpins it.

We have continued to progress the masterplan for the site alongside the technical evidence base. The latest masterplan is attached as Appendix 5 to the representation covering letter and continues to demonstrate the strong landscape led approach, providing significant green buffer zones to provide strong transition areas between the proposed development and the existing built form to the north and National Landscape to the south. It also shows how suitable access can be achieved from Sidmouth Road and Honeysuckle Drive supported by a clear street hierarchy and pedestrian and cycle

linkages connecting to existing development and the wider network. Drainage work has identified the opportunity for a range of SuDs features, including a network of swales and attenuation basins with outfall at greenfield rates to the central stream.

No heritage constraints have been identified, with the site providing overall a wider agricultural hinterland with very limited archaeological activity, with any remains being of low interest and nothing of greater than local significance. Whilst there are listed buildings within 1km from the site the site has no visual connection, spatial relationship or historic connection with any heritage asset and does not form any setting function.

Ecology surveys have been undertaken and an ecological constraints and opportunities report has informed the masterplanning work and the provision of significant habitat enhancement and creation on the site and the provision of a specific area for BNG. This has been supported by tree surveys and an arboricultural constraints and opportunities plan. The masterplan has responded by seeking to retain all trees and hedgerows wherever possible and to strengthen boundaries and enhance the key green corridor crossing the site.

The overall accessibility of the site is undisputed, being within walking distance of key facilities and well located to benefit from bus and rail services.

The technical work has therefore identified that the site is well placed to deliver housing in a sustainable location to support the role of Honiton and is a site that is unconstrained nor overburdened by infrastructure requirements. The site can therefore come forward quickly to support delivery in the earlier stages of the Plan period and provide much needed resilience to the Plan's strategy.

Our position remains that the omission of the Heathfield Manor site from the Plan is a significant lost opportunity and there were and are no good reasons for it not to have been allocated. It provides a more logical southern extension of Honiton than other more constrained sites that have been included in the Plan to the east and west which are far less well related to the existing urban area to the site at Heathfield Manor.

We set out below our continued concerns regarding the sites that are included in the Plan which we would strongly contend offer no clear benefit over the Heathfield Manor site and in several cases have further challenges (i.e. heritage, accessibility etc).

Land west of Hayne Lane (Gitti_03,04 and 05): Our clients remain concerned that the allocation of this site was based primarily on quantum and an assumed capacity rather than a consideration of relevant matters in respect of deliverability. It also a site that is distant from the core facilities of the town and accessibility during the site selection process was described as challenging. Part of the site also falls within the National Landscape, demonstrating that this does not appear to be principle for ruling out sites as suggested in the context of Heathfield Manor. The additional wording added to the policy, relating to the need to maximise opportunities to conserve and enhance the natural beauty of the site and wider national landscape setting, could equally apply to Heathfield Manor (which has already been demonstrated through the masterplanning and technical work undertaken).

The revised wording of the allocation doesn't address the previous deliverability concerns we have expressed in terms of access challenges and landscape and heritage sensitivities alongside the need for the site to come forward in a masterplan dealing with the site comprehensively and the provision of significant infrastructure. This points to a site that will take some time to come forward. It is therefore unlikely to make a significant contribution to housing delivery in the early parts of the Plan period. On that basis it is clearly a more sustainable strategy to deliver a range of sites (including Heathfield Manor) which provide good access and connectivity options to existing services and facilities whilst offering opportunities for enhancement of existing infrastructure and landscape setting to support the growth of the town. This will also be more beneficial in ensuring the Plan is resilient in meeting housing needs at an early stage of the Plan period.

Land adjacent to St Michaels Church and south east Cuckoo Down Lane (Honi_07 & 12): We previously made the point that, as with Heathfield Manor, these site lie within the National Landscape but are closer to heritage assets and represent a less logical extension to the urban area in respect of form. Therefore, the allocation is inconsistent with the decision to not allocate Heathfield Manor. We also raised the point that Honi_12 was not recommended to be allocated by officers. We note the Part 2 Regulation 19 consultation version of the Plan now excludes Honi_12 and reduces the capacity of housing provision from 101 to 30 homes which appears to emphasise that the clear constraints of the site were not fully realised or considered at the site

selection process. It again suggests that the opportunity to maximise quantum on a few larger sites without full consideration of delivery factors was placed above identifying a range of more deliverable sites.

Land south of Northcote Hill (GH/ED/39a and b) This concern is further advanced by the revised capacity now included in the Plan for Northcote Hill, rising from 200 homes to now 310 homes. This is despite the revised policy text clearly indicating that impacts of scale and other matters on the National Landscape will require further consideration at a later stage. It further sets requirements for which there is no evidence put forward to demonstrate that the increased housing numbers could meet. The updated site selection report does not address the rationale regarding the increased quantum of housing now to be delivered on the sites, and it is therefore unclear what further assessment has been undertaken to justify this increase. The report also does not address the previous concerns raised by my clients and others regarding the challenges of these sites. In particular the access and accessibility challenges with access constrained by narrow roads under railway bridges which will require significant improvements. Whilst the revised policy wording now refers to these challenges, the need to “maximise opportunities for localised improvements and contributions to enhance sustainable travel modes” rather underplays the extent of the issue. Our concern is that any increase in capacity of these sites is not only unevidenced but may be simply a case of trying to redress the loss of numbers in Honiton as a result of the removal of Honi_12. This would be inappropriate and does not take into account the delivery challenges of the site or the likely impact delays in bringing sites forward will have on the Plan strategy as a whole. A more sustainable approach would have been to re-consider sites previously omitted (such as Heathfield Manor). We continue to consider that there are no good reasons for the Plan not to allocate the Heathfield Manor site. It is a site that is relatively unconstrained nor overburdened by infrastructure requirements. The site can come forward quickly to support delivery in the earlier stages of the Plan period and provide much needed resilience to the Plan’s strategy. Without having a range of sites within Honiton the Plan will over rely on more constrained sites which are more difficult to bring forward, particularly given the significant uncertainties around deliverability.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We believe further growth at Honiton should be provided for through the allocation of further sites. This will

underpin the Plan's strategy to ensure sufficient housing growth in the town throughout the Plan period, including at an early stage. The site at Heathfield Manor is unconstrained and has previously been identified as a preferred choice site based on its suitability. There are no impediments to its delivery and as such it can make an important contribution to the Plan.

Policy SD03 should therefore be modified to include land at Heathfield Manor (Honi_15) as an allocation. [see attached sketch plan]

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To elaborate further on these and previous representations made on the Plan, including providing evidence to support the necessary Modification of the Plan.

Full name: RF Collins

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Thank you for setting out our concerns for development in Honiton. Please note, we wish to participate in examination hearing sessions, when they deal with Honiton?

Full name: Stephen Craddock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Honi_07 ,Honi 13, Honi 14, Honi 18

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: here is not sufficient infrastructure in place to allow for more housing development. S W Water cannot cope as it is with Honitons waste water plant already 40% over capacity. All developments will increase traffic on already busy roads and will increase poor air quality and noise due to this increase. All developments are on green field sites therefore impacting on wildlife and the environment.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: S W Water to completely build a new waste water treatment plant. Each development should have rainwater attenuation. Infrastructure such as increased capacity to GP surgeries, schools etc should be funded.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The basic infrastructure around Honiton cannot cope with increased traffic, increased patients to the surgery or increased children to the schools.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: S W Water to completely build a new waste water treatment plant. Each development should have rainwater attenuation. Infrastructure such as increased capacity to GP surgeries, schools etc should be funded.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I do not believe that EDDC have adequately engaged in Constructive Engagement, Strategic Planning: The duty emphasizes the importance of strategic planning, which involves addressing larger issues that cannot be resolved by a single authority alone. This includes policies related to sustainable development and environmental management. I do not agree that they have also Demonstrated Compliance

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ceri lees

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Honi_18

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The proposed road entrance is really dangerous and I can believe it is legally compliant. This needs to be seriously investigated as in the past highway have opposed the plans for a junction here

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Another place for the junction must be found but I'm not sure there is one

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
ThA35 at this point is very windy, steep and with poor visibility in both directions a junction here for a housing estate is unsafe and unwise

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please

be as precise as possible.: Because honi 18 was introduced very late in the plan with no info given to locals and no chance to cooperate

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stuart lees

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.: Honi 18

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am deeply concerned that the proposed junction that is need for the new housing site is simply not safe or reasonable and that the change of opinion from highways agency is a response to political pressure and not because the plan is safe. In the past highways have rejected the plan for a site entrance above the copper castle and anyone who knows the road knows why. It is a dangerous and windy section of road and it is on a steep incline. Visibility is limited both directions and it will be so dangerous especially in morning and evening for many cars from 100plus homes trying to get to work, do the school run and so forth.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The Honi 18 plan needs another entrance to the site or else needs scrapping

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: As above

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The Honi 18 plans were not part of the original plan and only came onto the table in 2024 and the people local to the site were not informed or consulted

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I wish to ensure local voices are represented

Full name: Lisa Turner

Organisation (where relevant): Blackdown Hills National Landscape

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Honi_07, 13

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Still more could be done though in relation to sites and seeking to further the purpose;

For example in Honiton, Sites Honi_7 and _13 were proposed to be removed alongside Honi_12, but were reinstated at Strategic Planning Committee in September 2025. The scale of these allocations (40) is a tiny part of the total, but deemed to have high impacts in relation to the National Landscape, and eroding the clear separation of town and country. It should be possible to incorporate this number of dwellings on alternative sites.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Rosie Walker

Organisation (where relevant): Woodland Trust

Other party name (if relevant): No

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: GH ED/39a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: These site allocations are adjacent to Ancient Woodland (ASNW) - irreplaceable habitat according to the NPPF and should be reviewed - extra clauses should be added to ensure significant buffers of at least 50metres from the development to reduce impact. Please refer to the Natural England Standing advice on Ancient woodland and irreplaceable habitats. This can be found at <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions> ?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ensure that suitable wording is provided to ensure the protection of irreplaceable habitats, veteran and ancient trees at the locations in the attachment to this submission.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

These site allocations require additional consideration for the threats they pose to irreplaceable habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: David Valentine

Organisation (where relevant): Gittisham Parish Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Gitti_03, Gitti_04, Gitti_05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This is a submission made on behalf of Gittisham Parish Council. The Gittisham Parish Council has consistently challenged the allocation of land for residential and industrial development on land to the west of Hayne Lane. The GPC have submitted as part of the 1st Reg19 consultation a wide range of objections to the allocations Gitti-03/04 and 05. The lack of detailed and robust infrastructure and viability assessments to support the delivery of proposed allocations has been an area of concern which has been previously raised by Gittisham Parish Council directly with EDDC. It is clear that sustainability has been sacrificed in order to meet housing and employment targets. The additional evidence now provided as part of the 2nd Reg 19 Consultation raises additional concerns regarding the allocation of residential and industrial land in unsustainable locations. It is also noted that an updated East Devon Local Plan Infrastructure Delivery Plan (IDP) has been submitted as additional evidence as part of 2nd Reg 19 consultation. The opening comments within that document state: Infrastructure delivery is fundamental to supporting sustainable development. Strategic and well-planned infrastructure ensures that new developments contribute positively to community needs and objectives. Developments lacking appropriate infrastructure risk being suboptimal or unacceptable and may result in environmental harm. Comprehensively understanding infrastructure requirements and establishing robust delivery mechanisms is crucial for substantiating the Local Plan, informing planning

documents, guiding Community Infrastructure Levy allocations, and supporting broader council initiatives. It is against the background of this statement together with the additional evidence to be found in the Waste Cycle Study Nov 2025 (additional evidence to support 2nd Reg 19 Consultation) that Gittisham Parish Council wish to reaffirm in this 2nd Reg 19 Consultation the objections previously made to the proposed allocations Gitti-03/04/05, and to submit that Honiton is not a sustainable location for the level of residential and industrial development being promoted. Prior to the publication of the Water Cycle Study (WCS) the Environment Agency (EA) in response to the EDDC Sustainability Appraisal (Feb 2025 page 77) expressed concerns about the Sustainability Appraisals “limited focus” on “...sewage capacity”. They also advised policies (in the new Local Plan) should “require proof of sewage infrastructure adequacy prior to any development approval” and also that “policies must explicitly tie development phasing to infrastructure delivery”. These concerns have now been confirmed. It is submitted that the findings contained within the Water Cycle Study together with the concerns of the EA, seriously undermine the likelihood of the Honiton allocations coming forward within the plan period. Looking in detail at the Water Cycle Study the current waste discharges into the River Otter at Honiton are significantly exceeding capacity and, that to meet the requirements resulting from the housing allocations alone at Honiton (including Gitti-05) would require an increase in capacity at the Honiton STW of 73%. That capacity would also have to be increased further as a result of the 15 ha industrial allocation at Gitti-03/04. It is notable that there is an absence of any SWW investment programme to provide any improvements at the Honiton STW. The level of investment required to address existing and future demands cannot be financed from developer contributions alone. Given the current and projected capacity issues at this STW together with the absence of any investment strategy by SWW, and in parallel with other known existing infrastructure deficiencies, it is submitted that Honiton cannot be regarded as a sustainable location for the scale of development that the Local Plan is promoting. Although the IDP and WCS are not part of the emerging Local Plan the IDP is “crucial for substantiating the Local Plan” (IDP para 1.2). Given its shortcomings the IDP clearly fails to perform this “crucial” task and, consequently challenges the soundness of the Local Plan. In the absence of there being a clear and robust viability assessment for each of the major Honiton allocations and particularly those allocations Gitti-03/04/05, and in the light of the new evidence, in particular the IDP and WCS, forming part of the 2nd Reg 19 Consultation, the Gittisham Parish Council continues to raise its objections to the continuing allocations of Gitti-03/04/05 for employment and housing purposes and to object in general to Strategic Policy SD03 : Honiton and its development allocations, as the evidence supports the opinion that Honiton is not a sustainable location for the scale of development proposed .

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The deletion of development allocations Gitti_03, Gitti_04, Gitti_05. These deletions would acknowledge the unsustainable characteristics of these allocations and furthermore would assist in the recognition of Honiton as an unsustainable location for significant residential and employment development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: EDDC have failed to acknowledge the issues regarding viability, infrastructure deficiencies and sustainability in respect of the allocations Gitti_03/04/05 and in respect of Honiton in general.

Full name: Honiton Town Council

Organisation (where relevant): Honiton Town Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.: Honi_12 and Honi_18

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Honiton Town Council supports the removal of Honi_12 from the site allocations in the draft Local Plan. Honi_12 provides amenity value to Honiton residents and is located within a National Landscape. A very well used public footpath goes through the site, which could not be replaced if the site was developed.

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Honiton Town Council reiterates its opposition to the inclusion of Honi_18. Honi_18 was referenced in the minutes of the Strategic Planning Committee meeting held on 11 December 2024 as being one of the “changes that had been made to some local plan chapters to ensure greater consistency of approach throughout the document and to address matters on potential development allocation sites that had been agreed by Committee as previous meetings.” A search of the previous agendas and minutes for the Strategic Planning Committee has found no reference to Honi_18 at all. It is clear that EDDC failed to properly consult on the allocation of Honi_18 and therefore its inclusion in Strategic Policy SD03: Honiton and its development allocations is not legally compliant. Concerns were also raised about the proposed access to the site.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally

compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Honi_18 should be removed as development sites from the Local Plan.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Honi_18 was referenced in the minutes of the Strategic Planning Committee meeting held on 11 December 2024 as being one of the “changes that had been made to some local plan chapters to ensure greater consistency of approach throughout the document and to address matters on potential development allocation sites that had been agreed by Committee as previous meetings.” A search of the previous agendas and minutes for the Strategic Planning Committee has found no reference to Honi_18 at all. EDDC failed to properly consult on the allocation of this site and its inclusion in Strategic Policy SD03: Honiton and its development allocations is not legally sound. Members of the Planning Committee also raised concerns regarding the proposed access to the site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Honi_18 should be removed as development sites from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Honi_18 was referenced in the minutes of the Strategic Planning Committee meeting held on 11 December 2024 as being one of the “changes that had been made to some local plan chapters to ensure greater consistency of approach throughout the document and to address matters on potential development allocation sites that had been agreed by Committee as previous meetings.” A search of the previous agendas and minutes for the Strategic Planning Committee has found no reference to Honi_18 at all. EDDC failed to properly consult on the allocation of this site and its inclusion in Strategic Policy SD03: Honiton and its development allocations fails to comply with the duty to co-operate.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Honiton Town Council wishes to ensure that its objections are put to the Planning Inspector by a representative of the Council.

Full name: Angela Brooks

Organisation (where relevant): Fisher German LLP

Other party name (if relevant): National Grid Electricity Transmission (NGET)

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
GH/ED/39a, GH/ED/39b

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Fisher German LLP on behalf of National Grid Electricity Transmission (NGET)

Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed by or in close proximity to NGET assets. Details of the site affecting NGET assets are provided below:

Policy SD03: Land north of Northcote Hill, Honiton (GH/ED/39a)- Asset Description: 4YA ROUTE TWR (002-112): 400Kv Overhead Transmission Line route: AXMINSTER-EXETER and CHICKEREL – EXETER

Policy SD03: Land south of Northcote Hill, Honiton (south of the railway) (GH/ED/39b) - Asset Description: 4YA ROUTE TWR (002-112): 400Kv Overhead Transmission Line route: AXMINSTER-EXETER and CHICKEREL – EXETER

A plan showing details of NGET assets is attached to this letter. Please note that this plan is illustrative only. NGET also provides information in relation to its assets at the

website below. <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/network-routemaps>

NGET advocates the high standards of design and sustainable development forms promoted through national planning policy and understands that contemporary planning and urban design agenda require a creative approach to new development around high voltage overhead lines and other NGET assets.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Sites GH/ED/39a and GH/ED/39b The above proposed allocations interact with NGET assets as listed above. For the associated policies to be effective the following wording, or wording to the same effect, is required to be included within the relevant policy to ensure conflict between the assets and proposals is avoided. We propose the following wording be provided within Policy SD03:

“Development will include a strategy for responding to the NGET Overhead Cable Route present within the sites which demonstrates how the NGET Design Guide and Principles have been applied at the masterplanning stage and how the impact of the assets has been reduced through good design.”

Without appropriate acknowledgement of the NGET assets present within the sites, the related policy (SD03) should not be considered effective as it cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure. Without the wording above or equivalent being added, we must object to Policy SD03 as currently drafted.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Honi_13

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We note the additional policy text stating that “Areas of open space should be located to reduce the impact of development on the setting of adjacent listed building and the scale, design, lighting and materials of new development should be appropriate to the Blackdown Hills National Landscape”.

However, we continue to have significant concerns given the location and scale of development proposed on a site immediately adjacent to the grade II* Church of St Michael and All Angels and its graveyard, with potential for very significant setting impacts.

At the time of our site visit, it appeared that a single storey dwelling was being constructed on the site of a former outbuilding.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We continue to recommend that Honi_13 is removed from the plan.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Honi_07

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We note that Honi_12 has been removed from the site allocation. However, our principal concerns were with Honi_07 close to the grade II* church and lychgate, and grade II Former Sextons House. While adjustments to the policy in relation to the location of open space within the site, and to manage scale, design, lighting and materials are welcome, we suggest that these are adjusted to ensure that all aspects of design respond to both the designated heritage assets and National Landscape. It is unclear whether the stated capacity of 30 homes is achievable on this site with the recommended mitigation and we therefore request that a concept plan is provided to justify the site allocation and that, if necessary, the site capacity is reduced accordingly. It is also important that the Local Plan recognises the 'at risk' status of the Church of St Michael and All Angels (a church in the process of closure) and takes steps to address this. This is consistent with the 'positive strategy for the conservation and enjoyment of the historic environment' required by the NPPF.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We request a concept plan to justify the proposed capacity for the site allocation and that, if

necessary, the capacity is reduced accordingly. We suggest the following adjustments to the policy, taking the amended text as a starting point:

Text in brackets () should be deleted. “... Therefore a high-quality development scheme is required for the site, which is appropriate to the Blackdown Hills NL and conserves the setting of nearby listed buildings with carefully located with areas of open space and landscaping, (being located to reduce the impact of development on the setting of adjacent listed buildings) and the appropriate scale, design, lighting and materials of new development (being appropriate to the Blackdown Hills NL).”

Text to be added is in square brackets [] “The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes. To secure public benefits that offset harm to heritage assets, contributions will be sought [to secure the beneficial use and public access to the Church of St Michael and All Angels].”

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Honi_18

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

While we welcome the additional policy text to assist in conserving the setting of grade II listed Copper Castle former toll house, the land immediately north of the road should also preferably be kept open, or the policy amended to ensure that the boundary hedgerow is retained and enhanced with tree planting.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Suggested additional policy text:

“[New homes adjacent to Axminster Road should be set back from the road, with the boundary hedgerow retained and enhanced with new tree planting.]”

Full name: Craig Hatton

Organisation (where relevant): Network Rail

Other party name (if relevant): Network Rail

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Honi_18, GH/ED/39a, GH/ED/39b

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: NR consider the following changes are required to make the draft Policy sound in respect of Honi_18 and 39a/b. The allocation of these sites is welcome as they will stimulate rail demand as part of the Devon Metro vision. For this to take place however we would like to see a clearer requirement for good quality active travel routes linking the sites to the rail station. The current assumption for 39 a and b seems to be to use Northcote Hill / Monkton Road for active travel routes towards the station. Monkton Road is especially busy, as is the junction with High Street / Kings Road. It is challenging to see how this could be made an attractive and safe walking and cycling route. Consideration should be given to requiring the provision of a high-quality walking and cycling route between sites 39a/b and Honi_18. The route could potentially follow the railway and the tree line / stream up to Honi_18. As noted in the policy for Honi_18 there would need to be an effective crossing of Kings Road giving access to Pine Park Road and the connecting pedestrian path to the station. A further pedestrian crossing should be considered on New Street near the railway bridge. This link would have the benefit of providing an improved route to the town centre and college.

SD04

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Otry_21: 70 new homes (or 140 see 25/2468/MOUT) close to NL.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy SD04 should reflect the need for additional primary and improved secondary education provision in Ottery St Mary and recognise this as a requirement to support the policy with the latter also supporting the wider aspirations of the plan. DCC requests that the following wording is added to Policy SD04: “In addition to the new primary school with provision for early years for Ottery St Mary, improved secondary school facilities are required to support further development in Ottery St Mary and the wider aspirations of the plan.”

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here::
Otry_09

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We also propose that the wording of policy SD04 regarding Land at Thorne Farm (Otry_09) is amended to reflect the need for joined up thinking in respect of access. Amended wording: deletions): Land at Thorne Farm (Otry_09) This land, which lies west of the town and adjacent to the sports centre and school, will provide around 90 new homes as well as space for an educational facility. Further flood risk assessment is required and an undeveloped buffer should be maintained to protect the County Wildlife Site and Ancient Woodland to the north west of the site. Development at this site should not fetter the potential for access to Otry_01b, illustrating how both site entrances would work in harmony once both sites are delivered”.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

5. Development in the Towns and Villages

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Otry_01b

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Whilst the Landowner is supportive of draft allocation of Otry_01b, and agrees with the Council's conclusion that this is a suitable and deliverable site, and a sustainable location for development, amendments are considered necessary to the draft Plan prior to submission for examination, to ensure it appropriately meets East Devon's housing needs. The purpose of these representations is therefore to: 1 Outline the ongoing need for additional housing numbers in the Reg 19 2 Draft Plan 2 Support Otry_01b for allocation for at least an additional 20 dwellings, to provide 90 homes net and up to 1.25ha of employment land based on the Draft Plan's allocation area, and confirm the opportunity to extend the allocation to reflect Otry_09 to the north (with a shared access) and deliver a total of 190 dwellings (120 net to the draft allocation) and up to 1.25ha of employment land; and, 3 Comment on other changes to policies in the plan insofar as they relate to the promotion of housing development on the Landowner's site.

Policy SD04: Ottery St Mary and its development allocations Land at Barrack Farm – Otry_01b The Landowners position remains as at Reg 19 1; they support the allocation of Barrack Farm (Policy D04, Otry_01b) for housing and employment use, noting the Council clearly recognises that the Site is suitable and available. However, in accordance with NPPF para. 130(a), developments must make optimal use of the

potential of each site to meet as much of the identified housing need as possible. This also aligns with draft policy DS02 (efficient use of land). We note that this has been given even greater emphasis in the draft NPPF (Dec 2025) currently out for consultation, which states at Policy L2 Point 3 (‘making effective use of land’) that “...proposals for land which is not previously developed should use development footprints which optimise a site’s development potential” and at Policy L3 (which seeks efficient use of land) that “...development proposals that do not make efficient use of land in accordance with this policy should be refused”. It remains our position that, based on the technical assessment and initial design concept work, as set out in our Annex 1 Reg 19 1 representations, the site area subject to draft allocation Otry_01b has capacity to deliver circa 90 homes and 1.25ha of employment land. Further, based on subsequent review of draft allocation Otry_09 – including its physical extent/landscape characteristics and the requirement for a joint access with roundabout (which requires land from the Landowners/Otry_01b to deliver) – along with site specific constraints and opportunities, there is a clear opportunity to expand the Otry_01b allocation as set out at Figure 1.1. This expanded site would have capacity to deliver circa 190 homes and up to 1.25ha of employment land. Further technical work can be prepared for EDDC if helpful, to support this position. In addition to amendments to the allocation boundary as detailed above, Policy SD04 (Otry_01b) should therefore be redrafted to reflect this as follows (proposed new policy wording shown): “Barrack Farm (Otry_01b) This land at Barrack Farm, is allocated for around 190 new homes and up to 1.25 hectare of employment land provision, to be provided in accordance with Strategic Policy SP04. Archaeological assessment will be required prior to development commencing and will need to inform development proposals. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes. Development at this site should not fetter the potential for access to Otry_09, illustrating how both site entrances would work in harmony once both sites are delivered.”

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

The Landowner is fully in support of the approach to allocate development in and around Ottery St Mary, a sustainable location. In response to the housing need assessment provided in Section 2.0 of this Statement and the settlement hierarchy established in policy SP01 of the draft Plan, Ottery St Mary can accommodate further growth in line with its Main Centre Status, assisting with delivery of the additional housing needed by EDDC. Land at Gerway Farm – Draft Allocation Otry_21

3.3?? Part of the land under the Landowner’s control is allocated (Otry_21, see Plan 1 above) “for 70 homes” under draft Policy SD04. Our Landowner supports this policy subject to: 1?? Capacity for all allocations should be consistently referred to as ‘around’ or ‘about’ (aligned with some of the other draft allocations) rather than fixing this at a set number, to build in the necessary flexibility and reflective of the fact that detailed design has not yet been undertaken; and 2?? The allocation should be expanded to include the land immediately to the west (see Plan 1 for expanded allocation area) to deliver a total of ‘around 150 units’. This is covered under Section 4.0 to follow.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Land at Gerway Farm – The Expanded Allocation

3.4?? The Ottery St Mary SSR considered the Landowner’s interests under two separate site references – see GH/ED/29a and GH/ED/29b at Plan 2 below. The Council’s assessment of GH/ED/29a (then draft allocated) and GH/ED/29b is the same for “infrastructure”, “landscape”, “historic environment”, “ecology”, “accessibility” and

“contribution to spatial strategy”. On this basis, and given that GH/ED/29a was found to be suitable for allocation, it would be consistent and logical to also allocate the expanded area proposed at Plan 1.

3.6?? The Council has concluded in the SSR that GH/ED/29b should not be allocated because: 1?? It forms an unacceptable extension into open countryside: Given the excessively large extent of GH/ED/29b assessed in the SSR, this appears to be a reasonable conclusion. 2?? It has inadequate access arrangements: Given the single point of access, and assuming the development of 200 units, this appears to be a reasonable conclusion. 3?? It is an unacceptable large scale: If this point is linked to the extent of the red line and the ability to access 200 units off a single access, this would appear to be a reasonable assumption. However, there is no evidence that the scale of development would be unacceptable against other indicators, including ‘infrastructure’ and ‘accessibility’. Critically, if a smaller area had been assessed – such as the land subject to this representation – a different conclusion would arise. 4?? The Council also identifies further reasons for not allocating GH/ED/29b but these fall away for the smaller area subject to these representations. For example, parts of the site are constrained but these are not insurmountable issues for the site extent now proposed for allocation. The SSR constraints can be addressed as: a?? The site is irregularly shaped and comprises grade 2 and 3 agricultural land: Whilst this is applicable to wider GH/ED/29b (i.e. the land to the south is largely Grade 2), the proposed expanded allocation area shown at Plan 1 is largely grade 3 agricultural land with some small areas of grade 2 agricultural land in the southern area of the land parcel. It is also important to confirm that the allocation extent in the Draft Plan (GH/ED/29a) contains a similar proportion of Grade 2 vs Grade 3 land, demonstrating this was accepted by EDDC. b?? Part of the site is within floodzones 2 and 3: None of our Landowner’s site is in flood Zone 3. A small part is within flood zone 2 (associated with low lying land) and we explain in Section 4.0 that any risks can be mitigated through reprofiling and a suitable drainage system. c?? Potential access to Claremont Field would need to cross a band of floodplain: This does not apply to the promotion site because development can be accessed without requiring a new vehicular access to Claremont Fields; access can be taken from Sidmouth Road. The existing Public Right of Way will be retained and as per above any flood risk can be managed. d?? A small area of surface water flood risk crosses the site: A small area of surface water flood risk is within GH/ED/29a. Remaining surface water flood risk broadly follows the fluvial Flood Zones 2 and 3 that runs north-east to north-west across the northernmost part of the site, which can be managed as per above. e?? The HSE major hazard pipeline runs through the southern edge of the site and the consultation zone extends to cover approximately 4.2ha of the site (approx. 0.35ha of which is also floodplain). We have received confirmation from HSE that there are no implications for the expanded allocation site (Appendix 5). f?? Electricity wires cross the site and would need to be undergrounded: Electricity lines

cross our Landowner's ownership and can be re-routed or undergrounded at the application stage. This 'constraint' would not preclude residential development. g?? It is very sensitive in heritage terms: We assume this is a reference to historic field enclosure pattern to the south of our Landowner's ownership. As per draft allocation Otry_21, further evaluation will be needed but we explain below that geophysical surveys currently suggest no archaeological interests that would require preservation in situ. h?? It is visible in long range views: We understand that the Council might be concerned about the impact of development across the whole of GH/ED/29b. However, Otry_21 was found to be acceptable in landscape terms and the principles would apply to the expanded allocation area. We comment further on landscape and visual impacts at Section 4.0 below. In assessing GH/ED/29b, the Council misdirected itself by not looking at this area at a finer grain. The constraints – and apparent weaknesses - are not equally applicable across the whole site. Notably, the constraints do not affect the expanded allocation area to the same degree and the site promoted in these representations is more akin to the assessment of Otry_21 and can therefore be allocated. The Landowner is proposing that Otry_21 is extended as shown on the framework plan below to form 'Amended Allocation Otry_21', delivering a total of about 150 houses. This is hereafter referred to as 'the site'. The site is suitable for housing. The Vision Document (Appendix 1) explains that a wellconceived scheme can be delivered which responds positively to the site's context, achieves ecological enhancement and creates an appropriate landscape setting. Overall, housing can be delivered on the current draft allocation (eastern parcel) and the western parcel. It would be possible to provide extensive landscaping. Beyond this, further to the west, a significant area of land could be utilised to achieve a well-connected network of publicly accessible green and blue infrastructure. Landscape and Visual Impact

4.3?? The Vision Document explains that: 1?? Only limited parts of the site will be visible in views from the footpath network to the south. From most views, the site will be seen on the context of existing built development. 2?? View from Sidmouth Road to the south would be occasional glimpses. The site is well screened by high hedgerow and roadside banks. 3?? Views from publicly accessible locations in the wider landscape are well contained, screened by hedgerows/woodland block or viewed against the backdrop of existing development. Extensive landscaping could be accommodated on site. Existing trees and hedges can be retained, managing the impact of development in the local context.

4.5?? The site is located approximately 1.5km from the East Devon National Landscape. From its boundary, the town is seen in distant views. The changes at the site, viewed from the edge of the Natural Landscape would 'read' in the context of existing development. As a result, we would expect the special qualities that contribute to the landscape and scenic beauty of this part of the Natural Landscape to be conserved and

that its setting would not be materially altered by this development. Transport and Access

4.6?? Connect Consultants has prepared a Highways and Transport Technical Note (Appendix 2). It explains that the site: 1?? Is suitable for development because a range of facilities and services are readily accessible by walking, cycling, and public transport, meeting the requirements of draft Local Plan Strategic Policy TR01 (walking, wheeling, cycling, and public transport). 2?? There is capacity in the highway network to accommodate about 150 houses with no unacceptable impact on the local road network. 3?? Vehicular access can be achieved from Sidmouth Road. An initial design of a simple Tjunction is achievable and suitable for about 150 homes. A safe segregated pedestrian route can be created from the site along the western side of Sidmouth Road to connect to the existing pedestrian footway at Gerway Close, from where there is a continuous pedestrian route into Ottery St Mary. 5?? Pedestrian routes within the site can accommodate the existing Public Rights of Way and link through to Claremont Field.

4.7?? Detailed requirements for a travel plan/transport statements/transport assessments (draft Strategic Policy TR03) and regarding car/cycle parking and charging points can be addressed at the detailed design stage (draft Strategic Policy TR04: Parking standards - Residential).

4.8?? The site is within the Aerodrome Safeguarding outline area, but residential development will not exceed three storeys, nor will it have high structures, and it will therefore not likely interfere with radio signals or create bird strike hazards.

4.9?? In assessing Otry_21 and GH/ED/29b, the Council notes in the SSR that: “Sidmouth Road at this point is a reasonably wide C-class road, potentially capable of accommodating additional development and associated movements in itself. However, the road narrows significantly towards Sidmouth to the south and access into and through Ottery is constrained by narrow roads and a single route through the town centre. Further investigation may be required to determine if more significant highways improvements (bypass/distributor road) might be necessary. Development of the site has the potential to impact on Junction 29 of the M5, which suffers from congestion at peak periods.” The Transport Technical Note explains that analysis has been undertaken (using DataShine Commute) to establish the likely trip distribution for about 150 houses. It confirms that traffic effects during the weekday AM and PM peak hours are likely to be in the region of: 1?? An additional 64 vehicles in the AM peak and 59 in the PM peak are likely to travel on Sidmouth Road north of the Site, which will disperse within the road network in Ottery St Mary. This equates to an average of approximately one additional vehicle per minute, which is not likely to result in an unacceptable impact. 2?? Only 10-13 additional vehicles are shown to travel on Sidmouth Road south

of the Site during the AM and PM peak hours. Again, this is not likely to result in an unacceptable impact.

4.11?? The Transport Technical Note concludes that satisfactory access can be achieved. The promotion site is deliverable from a transport and movement perspective.

Heritage and Archaeology

4.12?? There are no heritage issues above or below ground that would preclude the site being allocated. Of note; 1?? A desk-based heritage assessment and geophysical survey of site GH/ED/29 (including the promotion site) were undertaken by the Council in 2023. They provide evidence of archaeological potential and suggest that the promotion site may have been part of the open field system associated with the town in the later medieval period. The field pattern survives in part to the south of the promotion site, but otherwise has been eroded through the removal of hedgerows to create larger fields for modern farming. 2?? The geophysical survey recorded sub-surface remains of the former field boundaries within the promotion site. There is potential to restore some of the lost boundaries as part of the proposed green infrastructure, presenting a heritage benefit. 3?? There are no indications that any of archaeological features would be of the higher level of significance that would warrant preservation in situ.

4.13?? In summary, as per the existing Otry_21, no heritage constraints have been identified that would prevent development on the promotion site.

Ecology

4.14?? The SSR explains that Otry_21 and GH/ED/29 would result in a predicted “minor adverse effect...(not significant)” on Ecology. The same conclusion applies to the expanded allocation i.e. the site.

4.15?? The Ecology Appraisal (EA) (Appendix 3) confirms that the site is not affected by; i?? any habitat designations; and ii?? has limited ecological value.

4.16?? It does provide suitable habitat for a range of species including protected species such as badgers and dormouse. Habitats of higher ecological value are trees, hedges, and the riparian corridor associated with the River Otter. The initial Framework Plan shows that mitigation can be designed into the development, including the retention of trees and hedgerows, additional planting and the management of a significant area of green space to the west of the site for biodiversity gain. The need for further mitigation can be addressed at the planning application stage.

4.18?? A protected belt of trees is identified along the western boundary of the wider site to be used for green space, and further protected trees in the northwestern point of the wider site, and many mature and veteran trees are noted within the SSR.

4.19?? The site is located within the East Devon Pebblebed Heaths SAC HRA mitigation zone. There is an adopted strategic mitigation solution, The South-East Devon European

Sites Mitigation Strategy, involving financial contributions, with which the Otry_21 and the promotion land can also comply (EA para 3.6).

4.20?? There are no issues that would preclude housing development on the site. At least 10% Biodiversity Net Gain (BNG) in accordance with statutory requirements can be achieved given scale and control of the site. Emerging policies can be satisfied; 1?? Strategic Policy PB01, protecting internationally and nationally important wildlife sites. 2?? Policy PB03 of the Draft Plan, irreplaceable habitat and habitat features, such as hedgerows, will be maintained. 3?? Strategic Policy PB04, which sets out mitigation measures with respect to the Pebblebed Heaths Habitats Site would be adhered to in line with the South-East Devon European Sites Mitigation Strategy. Policy PB07, which outlines design expectations for ecological enhancement and biodiversity in addition to BNG. 5?? Policy PB08, which relates to the accommodation of trees, hedges and woodland in built development. 6?? Policy PB09, which outlines the approach to monitoring new planting schemes. Flooding and drainage

4.21?? The Technical Note on Flooding, Water Efficiency, Green & Blue Infrastructure (Appendix 4) explains that: 1?? A small area of land to the north of the site is within flood zone 2 and 3. The Vision Document shows that about 150 houses can be developed on the site without any incursion into the flood zone. 2?? There are pockets of land around the site boundary that are at risk from surface water flooding, but this is reflective of low-lying land and can be addressed through reprofiling and the introduction of suitable drainage systems. 3?? Additional mitigation if needed, can be addressed by ensuring appropriate finished floor levels which can be fixed at the planning application stage. 4?? Sustainable Drainage Systems will be utilised to control surface water runoff and ensure ecological benefits. The Vision Document shows scope for provision to the west of the site. 5?? Water efficiency can be addressed at the detailed design stage and can be achieved through the installation of reduced water fittings and water butts as needed.

4.22?? There are no flood risk or drainage matters that would preclude development of the site for about 150 houses and any proposal would accord with the requirements of draft Strategic Policy AR01 regarding Flooding. Summary and suggested policy wording

4.23?? The site is a deliverable and sustainable opportunity to help meet East Devon's housing in the early-mid Plan period.

4.24?? The evidence above identifies; 1?? The site is necessary to provide the additional housing numbers required for East Devon and could deliver about 150 new homes in total; 2?? There will be no detrimental impact on the highways infrastructure; 3?? The National Landscape is unaffected; 4?? The site is well connected the town centre for pedestrians and cyclists; and, 5?? Other technical policy issues relating to heritage, ecology and flood risk can be addressed at the planning application stage.

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Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

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Otry_21

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Update on the Site

1.3 The Council should note the following as an update in respect of site promotion and matters that are relevant to any consideration of deliverability: 1 Land to the east (brown in Figure 1.1), which is allocated for housing development (70 homes) in the Draft Plan (Policy SD04 Otry_21) and referred to as the “eastern parcel” is unchanged. 2 Land to the west (yellow in Figure 1.1), which is unallocated but represents a viable and logical opportunity to deliver more houses, referred to as the “western parcel” [the eastern and western parcels combined are now subject to a live planning application for up to 140 homes – see para. 1.4 for further detail]. 3 Additional land (outlined in blue at Figure 1.1) under the same ownership which is available for Biodiversity Net Gain and green/blue infrastructure to support the delivery of the housing allocation, referred to as the “additional land” [the extent of the ‘additional land’ has been reduced from that promoted as part of the Reg 19 1 consultation, to reflect the requirements of detailed technical work prepared in support of a planning application; it therefore accurately reflects the land required to support delivery of 140 homes]. Following the progression of the application, this area has been reduced relative to the site promoted at Reg 19 1. On 2 December 2025 (post Reg 19 1), Landra submitted a planning application for the site (ref. 25/2468/MOUT) to EDDC for the following development: “Outline application (with all matters reserved except for access from Sidmouth Road) for the demolition of a farm building and the erection of up to 140 residential dwellings (Class C3) with associated infrastructure and engineering works including landscaping, open space, surface water drainage and internal roads/footpaths/cycleways.” [see Figure 1.2 below

for the Illustrative Landscape Masterplan]. This application has been prepared in the context of a significant shortfall in EDDC's 5-year housing land supply, an out-of-date plan, and the engagement of the presumption in favour of sustainable development and associated tilted balance i.e. NPPF para. 11. However, its submission, with associated comprehensive and robust technical evidence, clearly demonstrates the suitability, availability and deliverability of the expanded allocation Otry_21 to comprise both the eastern and western parcels, delivering up to 140 homes. It is essential that sites such as this, in locations concluded to be sustainable for housing development, are allocated in the emerging Local Plan to increase housing numbers and address current flaws. We explain below that, subject to the grant of planning permission, up to 140 homes could be delivered in early-mid plan period.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

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This policy outlines the settlement hierarchy and overall approach for focussing development. Development will be directed towards the most sustainable locations, and Ottery St Mary is included Local Plan Regulation 19 Representations “ Ottery St Mary Sites as a Tier 2 settlement on the hierarchy and is designated as a Main Centre. It is stated that the Council will promote significant development in Main Centres to serve their own needs and that of the wider surrounding area.

4.2.2 The policy where it directs development to sustainable locations is considered sound. And the approach of focussing development to Ottery is sound. However, there are concerns with the lack of growth directed to Ottery as additional growth beyond that identified can be sustainably and appropriately accommodated on sites already known to the council.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

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GH/ED/26

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Additional comments on strategic matters

4.2.8 KCS welcomes Ottery St Mary being identified as a Main Centre. However, compared to other settlements at this level in the hierarchy, there is a lack of growth in Ottery.

4.2.9 Ottery St Mary is as sustainable as other Main Centres (such as Axminster) and it has the capacity to provide for similar levels of allocations. Currently under Strategic Policy SP03, Axminster provides for nearly three times as many allocated dwellings as Ottery St Mary. Therefore, there is an opportunity for the delivery of further residential allocations to fully utilise the sustainable location of Ottery St Mary and to provide for ‘headroom’ allocations to ensure that the housing requirement is met. Bolstering housing supply in the plan to secure the requirement ‘headroom’ would ensure that the plan was positively prepared.

4.2.10 In reference to the proposed settlement boundary, we concur with the inclusion of allocation GH/ED/27 within the boundary. However, the inclusion of the eastern fields of site GH/ED/26 within the settlement boundary would effectively round-off the settlement and provide a stronger defensible boundary. It would also ensure that those areas close to facilities are allocated for development.

4.2.11 Regarding the policy relating to development outside of settlement boundaries, this is unsound due to its lack of flexibility. It does not consider the scenario if a five year housing land supply cannot be demonstrated. The plan does not consider windfall market housing schemes adjacent to settlement boundaries. Another policy deems

that rural exception affordable schemes coming forward on the edge of settlements are acceptable. However, these are only small scale and generally consist of just affordable housing and would not be able to meet general housing requirements if a five year housing land supply cannot be demonstrated.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

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GH/ED/26

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

These representations are submitted by Stantec on behalf of KCS Development who have land interests in Ottery St Mary. The representations respond to the second East Devon Local Plan Regulation 19 Publication Draft consultation that is running from November 2025 to January 2026.

1.1.2 KCS is actively promoting two sites in Ottery St Mary through the emerging local plan, these sites being: ? Land at Strawberry Lane, which benefits from a draft allocation for housing in the emerging local plan (draft allocation site GH/ED/27), and this allocation continues to be supported. ? Land West of Cadhay Lane (site assessment reference GH/ED/26), which is a sustainable and well located site but is not currently proposed for allocation. Allocation or part allocation of the site would be entirely logical. The representations are made in the context that the Council does not have a five year housing land supply, and indeed has an acute shortfall with the current supply position being at best 3.5 years. The emerging Local Plan sets out a five year supply based on a stepped trajectory. However, this stepped trajectory is based on early delivery of existing sites with planning permission and smaller allocations, with higher delivery in later years being reliant on a number of larger allocations including a new settlement. Therefore, there is a risk that the plan will not deliver against needs. As such, additional logical sites are required and Ottery St Mary is a sustainable settlement, well placed to accommodate further allocations.

1.1.6 In summary, there is a clear need for additional housing in East Devon to respond to issues of overall supply of both market and affordable housing and the above sites can directly respond to this immediate need whilst also contributing to longer term plan-led supply. KCS is promoting two sites, both located in Ottery St Mary which is a

suitable and sustainable settlement for growth as accepted in both the adopted and emerging local plans.

2.1.2 The adopted Local Plan sets Ottery St Mary as an ‘Area Centre’ where ‘the viability of the town centre will be enhanced through additional housing development’ and that the settlement has a major supermarket, bus links, primary school as well as other services and amenities. The emerging Local Plan sets Ottery St Mary as a Main Centre where significant development levels can be promoted and so it is a sustainable location for growth.

2.1.3 The sites are sustainably located being close to a range of facilities within walking distance and within Ottery St Mary are schools, medical services, shops, cafes, pubs and other local amenities. Bus stops are within walking distance and benefit from regular services to Exeter and surrounding settlements. The nearest train station is Whimble approximately 4 miles to the north-west which has regular services to Exeter, London, Salisbury and Woking. The sites are also close to the A30 as a strategic highway which links to the M5 and other key locations.

2.1.4 Exeter is approximately 12 miles to the east, and is accessible by a range of means of transport options, where there is a significant and comprehensive range of services and facilities commensurate to Exeter being a key major settlement in the region. These include Exeter Airport, mainline rail stations, larger hospitals, main retail, leisure and cultural uses, universities, and a wide range of shops, cafes, pubs, restaurants, museums, theatres and bars.

2.1.5 The site specific background on each of the sites, land at Strawberry Lane and land at Cadhay Lane, is outlined below. Land West of Cadhay Lane

2.3.1 The overall land under control extends to approximately 23ha. Of this site, the two eastern most fields adjoin the settlement and extend to approximately 6.8ha. The overall site could deliver up to 400 dwellings, with the smaller area (6.8ha) being promoted for development of approximately 150 homes.

2.3.2 The site is identified in the emerging local plan evidence as site GH/ED/26 but is not allocated for development in the emerging plan. The site adjoins the settlement boundary and is in a sustainable location with access to local services and facilities within walking distance, as accepted in the council’s assessment of the site through the emerging local plan site selection process.

2.3.4 In terms of neighbouring uses, Strawberry Lane is to the south, and there are further agricultural fields to the west. There is a playing field to the east of the site. The King’s Reach housing development is located to the east of the playing fields and adjacent the south east corner of the site. There is a draft housing allocation immediately to the north (LP_Otry_01b) and a further allocation beyond that

(LP_Otry_09), and the Strawberry Lane draft allocation to the south east (site GH/ED/27).

2.3.5 The site is wholly located in Flood Zone 1 and there are no heritage, environmental or landscape designations covering or in close proximity. There is limited tree coverage.

2.3.6 There are no Public Rights of Way Crossing the site. Access into the site could be via a new junction to the south-east and further improvements to Cadhay Lane / Strawberry Lane would facilitate housing on site and provide wider benefits. Cadhay Lane - the proposed allocation

2.3.7 In terms of detailed design and technical matters, the layout can: ? Work with the existing site constraints. ? Include strategic and structural planting, such as the western and southern boundary to minimise potential landscape impact. ? Incorporate areas of publicly accessible green space. ? Provide sustainable drainage features. ? Provide walking and cycling routes both to/from Ottery St Mary and around the western edge of the settlement (linking to adjacent allocations).

2.3.8 Additionally, the following matters can be accommodated in the layout and development: ? Landscaping and planting which offers additional biodiversity benefits. ? Ecological features can also be provided within the site and/or on adjoining land. ? The site is within the least constrained area around the town in landscape terms. ? Vehicular access can be provided, without severe effects on the local highway network. Indeed, highway improvements associated with development of this site would benefit the wider area, providing an improved link between Barrack Road and Strawberry Lane.

2.3.9 Therefore, the site layout can respond to the site characteristics and there are no significant constraints that would prevent the development from being delivered.
Cadhay Lane - Previous plan representations

2.3.10 The site has been consistently promoted through previous Local Plan consultations, including most recently the first Regulation 19 consultation (early 2025) stage, and the site is identified as site GH/ED/26 in the emerging plan. In the emerging plan Site Assessment, it is stated that the site has not been allocated as the: Site is a significant greenfield site which would extend into open countryside. It has high ecological and heritage sensitivities and development would be visible from a considerable distance.

2.3.11 These representations will consider the site allocation and explain that a smaller allocation would be proportionate to the site and the settlement and would neatly round off this area of the town when considering other proposed allocations. Land west of Cadhay Lane (site GH/ED/26)

6.1 Site Summary and allocation benefits

6.1.1 The site is a suitable, appropriate, and sustainable location for residential development. It is concluded a smaller site than that considered by the council could be reasonably allocated.

6.1.2 The local plan evidence is predicated on the entire site being allocated for development. However, the evidence fails to recognise that a smaller area of the site is being promoted that being the eastern part of the site where it adjoins Cadhay Lane and the playing field such that the site boundary mirrors the proposed allocation to the north. It should also be noted that the draft allocation site to the north is further from local services and arguably less sustainable location than site GH/ED/26.

6.1.3 All potential technical matters can be addressed through typical scheme design. Furthermore, Ottery St Mary is a wholly suitable and sustainable location for further housing growth. Its sustainability is evidenced by its designation as an Area Centre in the adopted and emerging Local Plan.

6.1.4 It is noted the site is within a revised proposed draft 'Green Wedge', as proposed elsewhere in the current Regulation 19 consultation. Further analysis of this is provided in section 4 of this document, however, in summary, the revised Green Wedge is unsound and is neither logical nor supported by sufficient evidence. A partial allocation of the site for residential development would be supported, which would include the two fields in the eastern part of the site (as identified in previous representations and summarised below). This would deliver a number of significant benefits, including: ? Development would provide a strong defensible boundary to the edge of Ottery St Mary, ? It would include high quality landscaping and public realm works in-keeping with the edge of settlement location, ? The landscaping and planting offer additional benefits in terms of biodiversity net gain. ? Ecological features can be provided within the site and/or on adjoining land. ? The site is within the least constrained area around the town in landscape terms as shown in the submitted comparison document. ? Vehicular access can be provided, without severe effects on the local highway network. The provision of highway improvements through a north / south link road through the allocation site would be a benefit for the local area. ? Further residential allocation in Ottery St Mary will aid the vitalisation of the town centre and be in line with the settlement hierarchy, ? The opportunity exists to connect into good bus, bicycle, and pedestrian links to key local services, facilities and employment sites, and ? This site can help meet housing requirement in the first five years of the plan period, ? It would deliver notable affordable housing in an area of need. The site is an entirely sustainable, logical, and deliverable site which can meet local housing needs in the short to medium term.

6.1.7 Ottery St Mary has the capacity to deliver a similar amount of growth as Axminster due to its sustainability as a Main/Area Centre. Delivery of further allocations would bolster housing supply and create more certainty around the delivery of the 'headroom'

supply. Further, the site is also comparatively equal or better, sustainable, deliverable, and suitable in comparison with other sites put forward for allocation in Ottery St Mary. In line with the NPPF, the site is deliverable as set out in the below table Council assessment of the site

6.2.1 The western edge of Ottery St Mary is accepted (in the draft plan and Sustainability Appraisal) as the least constrained and therefore most suitable area for growth in the town. In reality, GH/ED/26 is a logical extension to the settlement in a location where other sites have been identified as being acceptable in planning terms.

6.2.2 The council's site assessment for GH/ED/26 concludes that the site 'is rejected as it does not abut the town and wholly extends into open countryside. There are heritage, ecology and visual impact concerns. The site is part of an area identified in the adopted neighbourhood plan where development should be restricted to prevent settlement coalescence

6.2.3 Previous representations promoted both a larger and smaller allocation of GH/ED/26 as being appropriate in the additional sites consultation of 2024, alongside the restating of this in our submission to the first Regulation 19 consultation.

6.2.4 It is relevant to note that site Otry_01 (to the north of the Cadhay Lane site) was promoted as a single large site and yet the Council assessed and allocated only part of that site (Otry_01b) due to concerns with allocating the site as a whole. By comparison, the entirety of GH/ED/26 was assessed and there was no consideration of the benefits of partial allocation (namely the two fields to the east).

6.2.5 As full extent of the Cadhay Lane site continues to be assessed and considered by the council the conclusions reached in the SA and site specific assessment are not accurate and the site should score significantly better in the assessment. This is outlined below: The above updated scoring matrix, taking the smaller site area into account, shows the site scores well against the key assessment criteria. The only outright negative score relates to landscape, and the same score is given to all sites in the SA and site assessment. By comparison to the council's assessment, the smaller site improves on at least three previously negative themes. Firstly on biodiversity, as there are only boundary trees and no adjacent woodland. Secondly in relation to the historic environment, given that the smaller site is now not in close proximity to heritage assets. Third, in relation to climate change adaption the smaller site is not within Flood Zones 2 or 3.

6.2.7 The council's latest site assessment also states that the remoteness of the western part of the site was a reason for the rejection of a site allocation. Given that the smaller part allocation of the site only covers the eastern fields, this reason for not allocating the site should be removed.

6.2.8 An updated site assessment for the smaller parcel addresses the previous negative scores and would not adversely effect the gap between Ottery St Mary and West Hill. A smaller site would not lead to coalescence and it would not overly encroach into the countryside given the proposed boundaries of draft allocations to the north. Ottery St Mary has the capacity to accommodate more dwellings to make provision more in line with other settlements on the same level of the hierarchy. The western area of Ottery is the least constrained and so the site is a logical allocation.

6.2.10 Despite the clear benefits of part allocating GH/ED/26 and the significant further detail provided in the previous Draft Plan representations the site has not been considered for allocation. The Council should have properly reassessed the site with this information and part allocation in mind.

6.3 Assessment Against Other Sites

6.3.1 It should be noted that two other sites have been allocated on the western side of Ottery St Mary, beyond the current built development line. These are allocations Otry_09 and Otry_01b.

6.3.2 The Cadhay Lane site either performs as well as or better than other draft sites (excluding the employment score for Otry_01b as this proposes a mix of uses including employment). The allocation of land to the west of Cadhay Lane would better round off the settlement limits of Ottery. The below table shows the smaller site score performance of GH/ED/26 against Otry_09 and Otry_01b. It is relevant to note that site Otry_01 was promoted as a single large site and yet the Council assessed and allocated only part of that site (Otry_01b). By comparison, the entirety of GH/ED/26 was assessed and there was no consideration of the benefits of partial allocation (namely the two fields to the east). Therefore, some of the approaches to analysis in the evidence base are unsound in line with Paragraph 36 of the NPPF.

6.3.4 Part allocation of site GH/ED/26 is entirely logical and in line with current adjacent allocations. Residential development here would bolster the housing land supply and provide certainty for the delivery of the ‘headroom’ dwellings required. In line with previous Draft Plan representations land west of Cadhay Lane (site GH/ED/26) is deliverable, is located adjacent a sustainable settlement, and has no insurmountable technical constraints. However, despite the council recognising that further housing sites are required, the site is not proposed for allocation. An updated site assessment, for a smaller part allocation of GH/ED/26, concludes that the site generally performs better than or the same as other allocations on the western side of Ottery St Mary. In fact, the western side of the town is the least unconstrained and residential development of GH/ED/26 would effectively round-off the settlement boundary. A part allocation of GH/ED/26 is both logical and sound.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
GH/ED/27

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

These representations are submitted by Stantec on behalf of KCS Development who have land interests in Ottery St Mary. The representations respond to the second East Devon Local Plan Regulation 19 Publication Draft consultation that is running from November 2025 to January 2026.

1.1.2 KCS is actively promoting two sites in Ottery St Mary through the emerging local plan, these sites being: ? Land at Strawberry Lane, which benefits from a draft allocation for housing in the emerging local plan (draft allocation site GH/ED/27), and this allocation continues to be supported. ? Land West of Cadhay Lane (site assessment reference GH/ED/26), which is a sustainable and well located site but is not currently proposed for allocation. Allocation or part allocation of the site would be entirely logical.

1.1.3 Land at Strawberry Lane is subject of a current planning application for 65 high quality homes (application 24/1716/MOUT). Technical matters are or have been addressed and the application is likely to be determined in the coming weeks. The representations are made in the context that the Council does not have a five year housing land supply, and indeed has an acute shortfall with the current supply position being at best 3.5 years. The emerging Local Plan sets out a five year supply based on a stepped trajectory. However, this stepped trajectory is based on early delivery of existing sites with planning permission and smaller allocations, with higher delivery in later years being reliant on a number of larger allocations including a new settlement. Therefore, there is a risk that the plan will not deliver against needs. As such, additional

logical sites are required and Ottery St Mary is a sustainable settlement, well placed to accommodate further allocations.

1.1.6 In summary, there is a clear need for additional housing in East Devon to respond to issues of overall supply of both market and affordable housing and the above sites can directly respond to this immediate need whilst also contributing to longer term plan-led supply. Sustainable context of the sites and Ottery St Mary

2.1.1 KCS is promoting two sites, both located in Ottery St Mary which is a suitable and sustainable settlement for growth as accepted in both the adopted and emerging local plans.

2.1.2 The adopted Local Plan sets Ottery St Mary as an ‘Area Centre’ where ‘the viability of the town centre will be enhanced through additional housing development’ and that the settlement has a major supermarket, bus links, primary school as well as other services and amenities. The emerging Local Plan sets Ottery St Mary as a Main Centre where significant development levels can be promoted and so it is a sustainable location for growth.

2.1.3 The sites are sustainably located being close to a range of facilities within walking distance and within Ottery St Mary are schools, medical services, shops, cafes, pubs and other local amenities. Bus stops are within walking distance and benefit from regular services to Exeter and surrounding settlements. The nearest train station is Whimple approximately 4 miles to the north-west which has regular services to Exeter, London, Salisbury and Woking. The sites are also close to the A30 as a strategic highway which links to the M5 and other key locations.

2.1.4 Exeter is approximately 12 miles to the east, and is accessible by a range of means of transport options, where there is a significant and comprehensive range of services and facilities commensurate to Exeter being a key major settlement in the region. These include Exeter Airport, mainline rail stations, larger hospitals, main retail, leisure and cultural uses, universities, and a wide range of shops, cafes, pubs, restaurants, museums, theatres and bars.

2.1.5 The site specific background on each of the sites, land at Strawberry Lane and land at Cadhay Lane, is outlined below. Land at Strawberry Lane

2.2.1 The site extends to approximately 3.9ha and is agricultural land south-west of the town which adjoins the settlement boundary. There is existing field access to the west of the site which can be utilised for future access, and a public right of way crosses the site approximately in the location of this access

2.2.2 Development at the site is a logical location for growth in the town and is proposed as an allocation for up to 60 homes in the draft local plan (site GH/ED/27).

2.2.3 The site also benefits from a well advanced outline planning application (reference 24/1716/MOT) for up to 65 homes which demonstrates the site is entirely suitable and deliverable. It is expected that the application will be determined favourably in the coming weeks as a comprehensive response to all consultee comments on the scheme was provided in November 2025. Landscape, ecology, tree, highways, and affordable housing viability comments have been incorporated into the scheme where viable. Notably, this has included an enhanced landscape plan, as well as additional footpath linkages and traffic calming measures.

2.2.4 There is existing residential development to the north, south and the south-east of the site, a draft housing allocation site to the east, with agricultural land to the west. Strawberry Lane runs along the north and western boundary of the site. Agricultural fields and a dwelling are to the west of the site. Hedgerows border most of the site with some trees on the northern boundary and to the south. A portion of the site to the south lies within Flood Zones 2 and 3 due to the beck along the southern boundary. There is an area of Priority Habitat Deciduous Woodland adjacent to the south-west of the site. The site lies within the SSSI Impact Zone for the East Devon Pebblebed Heaths SSSI.

2.2.6 There are no Listed Buildings or Scheduled Monuments on the site and the site is not in a Conservation Area, with the nearest heritage assets being the Grade II Listed Salston Lodge to the south. Land at Strawberry Lane (site GH/ED/27)

5.1.1 This site has been promoted to the emerging Local Plan for East Devon since the initial Issues and Options Consultation in early 2021. Since then, a number of further consultations have taken place and the Council's evidence base has been progressed.

5.1.2 Policy SD04 outlines housing allocations in Ottery St Mary and Land south of Strawberry Lane is included under reference GH/ED/27. The site allocation policy states: This land lies south of Strawberry Lane and is proposed for 60 houses. Archaeological assessment will be required prior to development commencing. This allocation will need to be supported by further FRA work, details of special measures to be taken to protect ancient trees and measures to ensure that safe cycle and pedestrian access to nearby facilities and Ottery St Mary town centre can be achieved. Part of the site is at risk of flooding and a Level 2 SFRA has been undertaken, the results of which should be incorporated into the development. A sequential test has been undertaken as part of the local plan. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes.

5.1.3 As stated previously, KCS supports the sound allocation of this land. The emerging plan is entirely sound in allocating the site. All technical matters have been investigated and found that appropriate mitigation to any possible adverse effects can be addressed through the planning process. There is a current planning application (24/1716/MOUT) for outline consent for up to 65 dwellings, and almost all technical matters related to

the development have been resolved and/or are close to resolution. There are significant benefits associated with the proposals including affordable dwelling provision and the incorporation of pedestrian recreational routes.

5.1.5 The planning application also considers the criteria set out in the allocation policy. Therefore, the application has been supported by Flood Risk Assessment work and measures to mitigate against this such as only locating built development in Flood Zone 1. There has also been archaeology trial trenching carried out at the site and a geophysical survey submitted in support. Further, connectivity for pedestrians and cyclists has been a consideration in the design of the scheme with the existing PROW being retained but slightly diverted and an extra connection to the north of the site added. Further, it should be noted that no trees are to be removed for development.

5.1.6 Significant off-site highways improvement works are not required to bring this site forward. Highways modelling undertaken as part of the planning application demonstrated that the number of vehicle movements forecast to be generated by development at the site is low and can be accommodated.

5.1.7 There are sustainable access options for pedestrians/ wheelers both along Strawberry Lane and through existing developments, which link the site to the town centre and other nearby services. Furthermore, traffic calming measures can also be incorporated adjacent to the scheme alongside a new footpath link added from Strawberry Lane to the Kings Reach development. The site can therefore make a meaningful contribution of the council's five year housing land supply position both immediately and within the local plan five year supply. Therefore delivery of this site is critical to the overall deliver of housing in East Devon and is fundamental to the soundness of the plan.

5.1.9 The site is deliverable as set out in the below table, and should continue to be supported. These representations, in line with previous Draft Plan representations, support allocation of Land South of Strawberry Lane under reference GH/ED/27 for residential development. The continued allocation of the site is sound and is supported.

Full name: Lewis Carr

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
NO

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Request removal of Otry_21 from Local Plan entirely: - This site doesn't meet National Policy requirements sustainable transport or environmental protections. - This site conflicts with the rest of the Local Plan policies, including SP06, AR02, OL01, OL04, OL09 and OL10. - This site conflicts the the existing Ottery Neighbourhood Plan. - There are severe transport and highway constraints. - Wastewater from further development would have nowhere to be processed with the Fluxton treatment works already at or over capacity. - There is no properly demonstrated housing need, particularly with the Marlecombe development being much closer to the jobs in Exeter. - How has this development gone from 40 to 70 dwellings on the same piece of very sloping agricultural land with terrible access? -

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Site Otry_21 from the Local Plan entirely.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: NO

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: It certainly hasn't co-operated with the Ottery Neighbourhood Plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I don't trust the council and planning staff to act in the best interests of the constituents.

Full name: Dan Clarke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Natasha Clarke

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Helen and Frank Connor

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: RE: Request to Remove Otry 21 From EDDC Emerging Reg.19 Local Plan

I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042.

Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision.

The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. a) b) c) 2. a) b) c) Failure to Meet National Policy Requirements

Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

SP06 – which restricts development outside settlement boundaries.

AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

13. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

- a) The distinctive countryside setting,
- b) The historic settlement pattern, and
- c) the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and

d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging.

Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore:

Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

2Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats

The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations.

The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary.

Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon plan.

Full name: Jennifer Coombes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

- a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.
- b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.
- c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

- a) SP06 – which restricts development outside settlement boundaries.
- b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.
- c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment

identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a "second-best option" for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion For the reasons outlined above,

the allocation of Otry_21 is: - Unsustainable - In conflict with national, local, and neighbourhood policies - Environmentally harmful - Infrastructure-constrained - Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove site Otry_21 from the local plan

Full name: Jennifer Coombes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See attached letter

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See attached letter

Full name: Jennifer Coombes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See attached letter

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See attached letter

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Removal of Otry_21 as a development site

Full name: Keith Bell

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have just moved into the East Devon area and accordingly have just become aware of the content of the local plan with regard to development in the Ottery St. Mary region. I would like to indicate that the site identified by 'Otry_21' is unsuitable for the proposed housing development. I have made comment on the 'Commonplace' site under Section 5 of the Second Regulation 19 Consultation, but I found it difficult due to the specific questions posed by the site. Accordingly, I am sending this email as a formal request. Due to its length, I am additionally including its content in the attached document.

I formally request the removal of Otry_21 From EDDC Emerging Local Plan 2020–2042

Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries. b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre b) High car dependency due to necessity c) Narrow approach roads, and d) Limited junction capacity Any expansion to the east, north, or south of the town is expected to

substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging (due to all traffic from this region destined for places of employment, medical facilities, and highways having to travel through the town). Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7. No Demonstrable Local Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary since available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is therefore neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Accordingly, its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

Full name: Kerry Carr

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

- a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane
- b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.
- c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

- a) SP06 – which restricts development outside settlement boundaries.
- b) AR02, OL01, OL04,

OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7 Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

8 Archeological sensitivity of the proposed site According to the Devon County Council Archeologist: "The proposed

development lies in a landscape where prehistoric settlement and funerary activity is documented in the Historic Environment Record and there is the potential that the proposed development site contains archaeological and artefactual deposits associated with this activity." There is possibly a Romano-British farmstead within a ditched enclosure as well as remains of associated contemporary field boundaries. Also possible prehistoric settlement or funerary activity. Conclusion For the reasons outlined above, the allocation of Otry_21 is: ? Unsustainable ? In conflict with national, local, and neighbourhood policies ? Environmentally harmful ? Infrastructure-constrained ? Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove Ottry_21 from the emerging Local Plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Remove Ottry_21 from emerging local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

Full name: BRIAN & JENNY HILL

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Not plan led

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Removal of site

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: RE: Request The Removal of Otry_21 From EDDC Emerging Reg.19 Local Plan We are writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. 1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for

growth. The site fails to meet core NPPF tests relating to:

- Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.
- Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.
- Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

- SP06 – which restricts development outside settlement boundaries.
- AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.
- OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving:

- The distinctive countryside setting,
- The historic settlement pattern, and
- the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: Chronic congestion in the historic town centre, High car dependency. Narrow approach roads, and Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage and Environmental risks

- Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that:
- Ottery St Mary has no capacity for additional residential development.
- The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River

Otter and its protected habitats. 6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development. 7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: • Unsustainable • In conflict with national, local, and neighbourhood policies • Environmentally harmful • Infrastructure-constrained • Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. We therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: For reasons outlined in section 3(b)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Helen and Frank Connor Madaney

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Sir or Madam, I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020-2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1 a) b) c) 2 a) b) c) Failure to Meet National Policy Requirements

Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: Sustainable transport - Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. Environmental and landscape protection - The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. Flood risk and water quality - Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: . : . AR02, OL01, OL04, OL09 - which require protection of water quality, landscape character, views, and biodiversity. OL10 - which protects the best and most versatile agricultural land unless exceptional

justification exists. 1 The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character. 3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning. 4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging Access through residential roads raises significant safety concerns for children and parents travelling to nearby schools. 5. Wastewater, Drainage, and Environmental Risks . Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. 2 Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats. 6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Sparrowhawk, Merlin, Badgers, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development. 7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8) Unexplained Increase in Proposed Density The site originally appeared as a "second-best option" for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: . with national, local, and neighbourhood policies Environmentally harmful I nfrastructu re-co nstra i ned Unjustified and unsupported by evidence Its inclusion would represent a failure of

the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary I therefore respectfully request that Site Otry-2l be removed from the Emerging East Devon Local Plan

Full name: Kay Mahony

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

REQUEST FOR REMOVAL OF Otry_21 I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, I believe the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure leading to significant road safety risks for pedestrians, cyclists and car users. Development located to the south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane and exacerbate existing congestion in the town centre. Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the East Devon National Landscape and the Scheduled Monument at Belbury Castle. Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already demonstrated to be under significant pressure from pollution and needing urgent attention to improve

water quality. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2.Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a. SP06 – which restricts development outside settlement boundaries. b. AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. c. OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3.Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a. The distinctive countryside setting, b. The historic settlement pattern, and c. the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a. Chronic congestion in the historic town centre, b. High car dependency. c. Narrow approach roads, and d. Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads and along Tip Hill where pavements are narrow and require the road to be crossed by pedestrians would significantly raise existing safety concerns, including those for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or to the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the town’s traffic flow increasing road safety concerns and risks to all users, especially the most vulnerable.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- Ottery St Mary has no capacity for additional residential development.
- The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats. The proposed inclusion of Otry_21 runs completely contrary to the Water Cycle Study and the Strategic Drainage Plan and the urgent requirement to improve water quality.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. The increase in density is unexplained and

entirely inappropriate in a location where any development should reflect, and take full account of, the transition from the existing built environment of the neighbouring land to its rural surroundings.

Conclusion For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies, plans and recent studies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence.

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Brian Mahony

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, I believe the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision.

The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements

Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a. Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure leading to

significant road safety risks for pedestrians, cyclists and car users. Development located to the south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane and exacerbate existing congestion in the town centre.

b. Environmental and landscape protection – The site comprises high- quality agricultural land, forms part of a valued rural landscape and lies within direct view of the East Devon National Landscape and the Scheduled Monument at Belbury Castle. c. Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already demonstrated to be under significant pressure from pollution and needing urgent attention to improve water quality.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria .

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a. SP06 – which restricts development outside settlement boundaries. b. AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. c. OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a. The distinctive countryside setting, b. The historic settlement pattern, and c. the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

a. Chronic congestion in the historic town centre, b. High car dependency. c. Narrow approach roads, and d. Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads and along Tip Hill where pavements are narrow and require the road to be crossed by pedestrians would significantly raise existing safety concerns, including those for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or to the north and east of the town for employment, therefore, Otry_21 sits in a position that

would be the most damaging to the town's traffic flow increasing road safety concerns and risks to all users, especially the most vulnerable.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

a. Ottery St Mary has no capacity for additional residential development. b. The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c. The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d. Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats. The proposed inclusion of Otry_21 runs completely contrary to the Water Cycle Study and the Strategic Drainage Plan and the urgent requirement to improve water quality.

6. Harm to Biodiversity and Protected Habitats

The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations.

The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8. Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re- emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. The increase in density is unexplained and entirely inappropriate in a location where any development should reflect, and take full account of, the transition from the existing built environment of the neighbouring land to its rural surroundings.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies, plans and recent studies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence.

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan. Other Consultations I note that there is currently an application for outline planning permission for Otry_21 and a significant area of neighbouring land under reference 25/2468/MOUT for the construction of 140 houses. There are many hundreds of objections to this application, and I believe that these should be taken into account when considering the inclusion of this site in the Emerging Local Plan. Many people have commented that they have found the “Commonplace” site very technical and difficult to engage with and it presents a significant challenge to the layperson who wishes to participate in the debate around the inclusion of Otry_21. They have instead made their contribution by responding to the planning application directly and we trust that the Planning Inspector will wish to take account of their views.

Full name: David Marjoram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: RE: Request The Removal of Otry_21 From EDDC Emerging Reg.19 Local Plan:

I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision.

The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. a) b) c) 2. a) b) c) Failure to Meet National Policy Requirements: Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

Conflicts With the Draft Local Plan (Regulation 19): Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: SP06 – which restricts development outside settlement boundaries. AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

13. Conflicts With the Ottery St Mary Neighbourhood Plan: The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints: The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High

car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks: Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

2 Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats: The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need: There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density: The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion: For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon

Full name: Jackie Marjoram

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: RE: Request The Removal of Otry_21 From EDDC Emerging Reg.19 Local Plan:

I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. a) b) c) 2. a) b) c) Failure to Meet National Policy Requirements: Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

Conflicts With the Draft Local Plan (Regulation 19): Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: SP06 – which restricts development outside settlement boundaries. AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

13. Conflicts With the Ottery St Mary Neighbourhood Plan: The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for

employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks: Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

2Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats: The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need: There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density: The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion: For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon

Full name: Kevin Murch

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure.

Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

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- a) Ottery St Mary has no capacity for additional residential development.

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- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is: “Unsustainable
“In conflict with national, local, and neighbourhood policies “Environmentally
harmful “Infrastructure-constrained “Unjustified and unsupported by
evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Kevin Murch

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Nancekivell

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_01b

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: .

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: .

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: .

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: .

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: With a view that OTRY-01b must harmonise access and interaction with land at Thorne farm(OTRY-09). the roundabout is going to be placed as in the attachment to the west of the the farm buildings (as per highways preference in a previous planning application) going into OTRY-01b which hasn't come under the allocation. There is no sound or

justifiable reason why OTRY-01a cannot be increased west to mirror the development to the north (OTRY_09) when you consider the potential position of the roundabout.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: .

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: .

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: There is no reasonable or logical explanation why this can't be incorporated to make better use of the infrastructure which needs to be implemented.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To explain in detail how this might have been overlooked, and the benefits it could bring to the plan .

Full name: Mr S.J. Padbury

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

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b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

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The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

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Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

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I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Julia Padbury

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

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Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Richard Parkyn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Evidence Document Ref: EDDC Local Plan 2020 – 2042 Regulation 19 Second Consultation Request for the removal of Site Selection for Otry_21 from the plan.

I hereby request your assistance in correcting a suspect decision contained within the emerging local plan. The area in question is the inclusion of the site known as Otry_21 within land included for potential development. It is quite clear that as demonstrated by the vast body of evidence and adverse public opinion that the inclusion of this site within a new local plan would be an extremely poor planning decision. The inclusion of Otry_21 is in direct conflict with the requirements of the National Planning Policy Framework, Emerging Local Plan, Ottery St Mary Neighbourhood Plan, and conservation requirements for the River Otter as further highlighted: - Conflicts with NPPF: Para.11

‘Plans and decisions should apply a presumption in favour of sustainable development. a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change. d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land.’

Para. 15 ‘The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social, and environmental priorities; and a platform for local people to shape their surroundings.’

Para. 77 ‘The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:

a) consider the opportunities presented by existing or planned investment in infrastructure, the area’s economic potential, and the scope for net environmental gains. b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself without expecting an unrealistic level of self-containment), or in larger towns to which there is good access.’

Para.109 Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable, and popular places. This should involve:

a) making transport considerations an important part of early engagement with local communities. b) ensuring patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes, and contribute to making high quality places. c) understanding and addressing the potential impacts of development on transport networks. d) realising opportunities from existing or proposed transport infrastructure and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated. e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing, and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate

opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.

Para. 110 The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Para. 115 'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. b) safe and suitable access to the site can be achieved for all users. d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach. Para. 116

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Para. 124 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.'

Para. 125 'b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage, or food production. c) give substantial weight to the value of using suitable brownfield land within opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Para. 170 Inappropriate developments in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Para 171. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

Para. 172 . All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.

Para. 187 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate. d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats, and hedgehogs. e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

Para. 198 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.

Conflicts with East Devon District Council Regulation 19 Draft Plan:

Para. 2.6. Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities. Farming and rural activities will still dominate the use of land. Where possible we will retain high quality land in agricultural production as we move towards more environmentally sustainable farming practices into the middle decades of the 21st century.

SP05 Within the settlement boundaries defined on the Policies Map development will be supported in principle. This does not mean that all development will be acceptable within settlement boundaries: proposals will be considered on their own merits having regard to other policies in this plan and any made neighbourhood plan.

SP06: In locations outside of the defined settlement boundaries development will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development. AR02 To minimise impact on protect, manage and improve water quality in all water bodies affected by development in East Devon: A. Planning permission will not be granted for any proposal which, because of inadequate provision of water services or inadequate or untimely provision of foul water and surface water drainage and disposal, would

1. cause pollution to the water environment, including coastal waters
2. result in the deterioration of the ecological status of a water body
3. overload the sewer network, or
4. result in an increase in flood risk at the site or elsewhere.

DS01 Proposals will only be permitted where they:

A. Respect the key characteristics and special qualities of the area in which the development is proposed. B. Ensure the appearance of buildings, including scale, massing, density, height, fenestration, and materials, relate well to their context. C. Do not adversely affect:

1. The distinctive rural, historic or architectural character of the area.
2. The urban form, in terms of significant street patterns, groups of buildings and open spaces.
3. The amenity of occupiers of adjoining residential properties.
4. The operation of existing uses outside of the proposed development.

OL01 East Devon's landscape, countryside and rural areas (including rivers, watercourses and waterbodies) will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate through a proportionate Landscape Appraisal that it will protect and enhance valued landscape attributes and special features and qualities that contribute to the character of East Devon's landscapes, in particular where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including: A. Landform and water forms and patterns of settlement. B. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, trees and woodlands, areas of importance for nature

conservation and rural buildings. C. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions; and

D. Aesthetic and perceptual factors such as tranquillity, wildness and dark skies.

All development in the countryside should have regard to the most up to date Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as up to date strategy and guidance for trees and woodlands. OL04 Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the district, in particular by conserving and enhancing key views and views of local landmarks, including those identified in Neighbourhood Plans.

The following view types are considered to be particularly important: A. Landmark views to and from viewpoints and tourism and recreational destinations, including the coast, woodland and open countryside. B. Views from publicly accessible areas which are within, to or from settlements which contribute to the viewers' enjoyment of the local area. C. Views from public rights of way and other publicly accessible areas. D. Night-time views of dark skies, particularly where lighting is to be introduced in areas of low existing light pollution; and E. Views which include or otherwise relate to specific features relevant to East Devon and its special qualities, such as key landmarks, heritage assets (either in view or the view from) and biodiversity features. Development proposals should conserve and enhance sequential views and not result in adverse cumulative impacts within views.

OL09 Permission will not be granted for development which would result in pollution that cannot be adequately mitigated. This will include: A. Pollution of the environment by gas or particulates, including smell, fumes, dust, grit, smoke and soot.

B. Pollution of surface or underground waters, for example by untreated sewage, including discharges to:

1. Rivers, other watercourses, water bodies and wetlands.
2. Water gathering grounds including water catchment areas, aquifers and groundwater protection areas.

3. Harbours, estuaries or the sea

OL10 Unless allocated for development under another plan policy, planning permission for development affecting the best and most versatile agricultural land (Grades 1, 2 and 3a) will only be granted exceptionally if:

- A. Sufficient land of a lower grade (Grades 3b, 4 and 5) is unavailable, or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation outweighing the agricultural considerations; or
- B. The benefit of the development justifies and clearly outweighs the loss of high-quality agricultural land.

If there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations, including intrinsic nature conservation value of a site, outweigh land quality issues.

Conflicts with Ottery St Mary Neighbourhood Plan 2017 – 2031

Para. 6.3 The countryside of the Neighbourhood Plan Area is a highly valued asset with special character provided by the rolling farmland, wooded hillsides, winding lanes and the open river valley. The countryside is important for its aesthetic and leisure value, its essential farming role and its wildlife habitat value. The balance of the historic town, villages and smaller settlements surrounded by nature and countryside views is considered by the community to be a vital part of the character of the area. It makes the Parishes a special place to live and visit. It is of utmost importance that these characteristics are protected for current and future generations.

Para. 6.4 National and local planning policy restricts development in the countryside. The adopted East Devon Local Plan does not identify the need for the Neighbourhood Plan to make any strategic or other housing development allocations due to the large number of new homes consented in recent years and the desirability of preserving the settlement pattern and character. As a result, no significant new

developments whether within or outside of the existing settlements are needed during the Local Plan period.

Para. 6.14 The unique pattern of settlements within the Neighbourhood Plan Area, each with their own distinctive character, is a valued part of its nature. This, coupled with developer pressure, particularly for new housing sites in and around the main settlements raises concerns about creeping development undermining and degrading the special character of the area over time. This must not be allowed to occur, and a major role of the planning system is to prevent and control this.

Para. 6.15 In most cases, new development on land outside of the defined built up area boundaries of Ottery St Mary and West Hill will not be allowed in line with Local Plan and Neighbourhood Plan policies protecting the countryside.

Inconsistency within Site Selection reports for Otry_21 The whole area surrounding Gerway Farm has been subject to repeated attempts by the landowner to promote development on this area of pristine agricultural land. It has been rejected in its entirety in the past and should continue to be rejected.

Otry_21 first appeared in the emerging plan as a Potential 2nd best option with an allocation for 40 homes, Stating:

‘Allocation would need to be subject to satisfactory highways and archaeological/heritage assessment as the smaller section would need to be accessed through an existing estate and it is very sensitive in heritage terms, being a historic field enclosure with pre-historic and medieval finds nearby.’ The site made a re-appearance in September 2024, however had increased in density to now allocate 70 houses, with confusing statements, including: ‘Ottery St Mary has limited jobs, lacks a train station and accessibility is constrained by narrow roads, lack of pavements and a historic town centre,’

‘Site is a significant greenfield site.’

It should be questioned, that why in the total absence of any change in the landscape, highway access or local housing need this area has risen from unacceptable to a density of 70 houses.

Ottery St Mary – Transport and Public Realm Study 2022

2.3.13 The nature of the road network, as well as the land uses in the area, means that Ottery St Mary suffers from traffic travelling through the town centre, especially for the east/west movement. This can have a detrimental social and environmental impact on the streets especially in the narrow streets of the historic town centre.

2.3.14 The town also has a high demand from car traffic. This is apparent from the parking pressures and limitations on space for pedestrians and cyclists. Although the quality of the built heritage is very good, the public realm and streetscape is now dominated by vehicular traffic and suffers from blind bends, pinch points, narrow footways, poor cycling infrastructure and a lack of public space for social interaction.

2.3.21 Land use and transport are inextricably linked. It is the land uses that act as trip attractors or trip producers that give rise to the trip generation across the road network. Collectively the residential areas generate high levels of trip movements.

3.3.13 The East Devon local Plan is the emerging planning policy document for the district. It sets planning policies and proposals for new development in the district for the period 2020-2040. The emerging local plan strategy establishes Ottery St Mary as a Tier 2 settlement and as such an appropriate location for future growth and development.

3.3.14 However, the plan also acknowledges constraints on development including the extensive Conservation Area and setting of Grade 1 and 2* listed buildings, narrow

approach roads to the historic centre which create traffic issues and significant congestion to the north, east and south, and the flood

plain of the River Otter. Expansion of the town to the north, east and south would exacerbate existing traffic issues. Hence, the plan favours development options to the west of the town, recognising that a green wedge has been designated to prevent coalescence between Ottery St Mary and West Hill village.

The East Devon Water Cycle Study – November 2025 Key findings of the WCS are:

Commissioned by East Devon District Council, this report was required to enable a clear understanding of the problems within the Otter catchment area resulting from wastewater treatment. The report also informs the areas where future development should not occur without prior improvements to the wastewater treatment process, failure to prevent development (in particular residential development) will result in further unacceptable pollution in the River Otter.

Three critical areas are identified as being at high risk from nutrient loading due to the increases in wastewater production from proposed housing developments: the River Exe Estuary, the River Axe, and the Otter Estuary. These areas are vulnerable due to direct effluent discharges or cumulative effects from multiple sources, exacerbating existing problems like phosphate pollution. Infrastructure enhancements and continued rigorous planning are recommended to handle the increased wastewater and sewage loads expected from new developments. Policy recommendations: To ensure sustainable growth and compliance with environmental standards, EDDC must embed water efficiency and water quality safeguards into the emerging Local Plan. The East Devon WCS outlines the essential considerations for managing water resources, wastewater, and environmental conservation considering projected development across the district. Its evidence-based observations and recommendations aim to steer East Devon towards a future where growth and sustainability coexists equally, ensuring that water management practices enhance rather than compromise the natural and built environment.

The current existing flows, without proposed growth, are shown in Table 5.5. Using the 3-year average Q80 flow as the Actual DWF provided by SWW, four of the 15 WwTW that

are expected to have development growth are currently exceeding, including Feniton, Fluxton, Honiton and Woodbury

Summary

New development in East Devon will increase demand on the sewerage network & WwTWs, resulting in higher treated discharge flows. This growth may exacerbate flood risk and reduce network capacity, requiring mitigation measures and infrastructure upgrades.

Where WwTWs operate at or above 90% of their permitted capacity, further investigation is needed to assess environmental impacts and compliance with

pollutant limits. Using RQP modelling for riverine discharges and load standstill calculations for tidal systems, capacity analysis shows that seven WwTWs, including Colyton, Countess Wear, Honiton, Fluxton, Feniton, Seaton South and Woodbury will exceed permitted flow headroom post-growth.

Policy recommendations Based on the analysis presented in Sections 4 to 6 of this WCS, the following high level policy recommendations should be considered by EDDC in the development of the Local Plan: Potential developments that may adversely affect green infrastructure assets and water quality should not be permitted.

South West Water - Strategic Drainage and Wastewater Management Plan – Otter May 2023 This plan as published by SWW is their strategy to cover the period up to 2030 for Level 2 Catchments. Included within this strategy is a plan area for the Level 2 Catchment area of Ottery St Mary and shows that NO RESIDENTIAL DEVELOPMENT is allowed for within Ottery St Mary.

It also states that Fluxton WwTW is overwhelmingly in either the Immediate moderate risk or Immediate high-risk category for many pollution incidents. A recent, 2018, upgrade to Fluxton WwTW costing £5m was completed and it is stated that this will meet all requirements to 2031. It is not anticipated that any further investment will come forward,

Storm Overflow's

The Pumping Station and Storm Overflow below and serving the Gerway Farm area is currently greatly exceeding its permitted spill rate. The latest figures confirm that in 2024 it spilled a total of 13 times, which is compared to a permitted rate of 3 per year. SWW state their plan aims to reduce the number of spills to 3 by 2030/50.

Surrounding Area Ottery St Mary is within Zone 2 influence for the East Devon Pebblebed Heaths. The town takes its name from the River Otter, which flows through the area, linking the surrounding landscape and having the East Devon Pebblebed Heaths running along an escarpment towards it. As a significant local settlement, Ottery St Mary faces ongoing pressure for new housing development. These developments are a concern due to their potential to increase recreational use and thus disturb the sensitive ecology of the heaths, which are a Special Area of Conservation (SAC) and Special Protection Area (SPA). Local planning decisions, such as those by the East Devon District Council and the Ottery St Mary Town Council, must consider the "Habitats Regulations" to ensure no adverse effects occur on the heaths' protected habitats and species.

The proposed site Otry_21 is in direct line of site from the Historic England site of Belbury Castle Heritage List No: 1017774, this should be considered a protected view.

Due to its physical characteristics Otry_21, has a direct link to The River Otter through the stream flowing at the base of the site. It will prove impossible due to the nature of the ground to prevent the runoff of contaminated surface water and wastewater overflows from entering the river. Development should be precluded from this area. There is no demonstrable evidence of the need for additional housing within Ottery St Mary, in fact, there is currently a large surplus of housing for sale. The site in question is home to a large number of species both with and without protected status, including, Bats, Dormice, Buzzard and Merlin and is in extremely close proximity to Badgers and the newly introduced Beaver groups.

I trust in consideration of all the preceding objections in particular the major traffic congestion and additional danger to parents and children that would be caused at the Winters Lane and Longdogs area of the town and your responsibility to safeguard the water quality within the River Otter you are able to request the removal of Otry_21 from the emerging local plan.

Otry_21's inclusion in this plan has already provoked an attempt to increase the proposed development area and will no doubt encourage this speculative nature in pursuit of further undesirable development destroying rural landscapes and pristine agricultural land.

The inclusion of this site would be an exceptionally poor and unjustified planning decision.

Full name: Richard Parkyn

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To whom it may concern,

I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associate technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the

permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heath SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8).

Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: M.J.F Pash

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Offy_21 within the emerging East Devon Local Plan 2020-2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. I. Failure to Meet National Policy Requirements Otry_ZI cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport - Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection - The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality - Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 - which restricts development outside settlement boundaries. b) AR02, OLOI, OL04,

OL09 - which require protection of water quality, landscape character, views, and biodiversity. c) OLL0 - which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

Full name: Linda Perry

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries. b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and

biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic DrainagePlan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and highrisk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds

demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Chris Perry

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 –

which restricts development outside settlement boundaries. b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic DrainagePlan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and highrisk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Roy & Margaret Peters

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear Sir/Madam

Request the removal of Otry_21 from the EDDC Emerging Reg. 19 Local Plan

We want to formally object to the inclusion of site Otry_21 in the Reg. 19 Local Plan. It is an unjustified and unsustainable planning decision. It is out of line with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety and landscape protection.

The NPPF states that development must be directed to the most sustainable and least environmentally harmful locations. OL10 protects the best and most versatile agricultural land unless exceptional justification exists. Other sections protect water quality, landscape character and biodiversity.

Otry_21 conflicts with the Ottery St Mary Neighbourhood Plan. No significant new housing allocations were required due to high recent growth. Available market housing already exceeds demand.

There are severe transport and highway constraints in Ottery St Mary. A study carried out in 2022 identified:

- Chronic congestion in the historic town centre
- High car dependency as many people commute to work outside of Ottery St Mary, particularly to the Exeter area
- Approach roads are narrow, especially Sidmouth Road
- Junction capacities are limited Living locally, we know that the junction of Sidmouth Road, Longdogs Lane and Winter Lane at the top of Tip Hill is particularly dangerous for drivers and pedestrians. The town's primary school is on Longdogs Lane. There are no pavements leading onto Tip Hill from Longdogs Lane. This is particularly dangerous for adults and children at the beginning and end of the school day. The mandatory crossing of Sidmouth Road at the top of Tip Hill adds to the risk at any time of day.

There are also environmental risks from waste water drainage. The East Devon Water Cycle Study (2025) and the South West Water's strategic drainage plan (2023) made it clear that Ottery St Mary has no capacity for additional residential development. Storm overflow at Gerway Farm spilled 13 times in 2024, more than 4 times the permitted limit. Further housing would increase nutrient loading, risk non-compliance of environmental standards and directly threaten the ecological health of protected habitats. Ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

We request that Site Otry_21 be removed from the Emerging East Devon Local Plan.
Yours faithfully

Full name: Yvonne Salmon

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Hugh Salmon

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Cheryl Shayler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of Otry_21 site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

- a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.
- b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.
- c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

- a) SP06 – which restricts development outside settlement boundaries.
- b) AR02, OL01, OL04,

OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver and Otter populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway

concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: ? Unsustainable ? In conflict with national, local, and neighbourhood policies ? Environmentally harmful ? Infrastructure-constrained ? Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Otry_21 from the emerging Local Plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am not convinced that democracy is being served.

Full name: Alison Stewart

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. 1 Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. Ottery St Mary is poorly served by public transport, especially when compared to other towns in East Devon. The bus service is rudimentary and there is no rail service. Residents are very much car dependent and the town is frequently at a standstill due to poor traffic flow. The roads in Ottery St Mary are not fit for the current volume of traffic, let alone adding more vehicles because of further housing.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character. Ottery St Mary should not be viewed as a Tier 2 settlement – it is considerably smaller than both Honiton and Sidmouth and should be respected as a much smaller town when considering planning applications.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting,

b) The historic settlement pattern, and

c) the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre,

b) High car dependency.

c) Narrow approach roads, and

d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development.

b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.

c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.

d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8).

Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Martin Stockley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Nobody could sensibly support further development either side of the Sidmouth Road as it leaves Ottery St Mary. The addition of significant numbers of vehicular and pedestrian traffic to this end of town is simply irresponsible, with its diminution in the quality of life for a very large number of residents (Longdogs Lane, Claremont Field, Gerway Close, Gerway Lane, Sidmouth Road, Tip Hill, Winters Lane, Clapps Lane, Oak Close etc) and the sheer safety of pedestrians on Tip Hill, where the pavement reduces to about 2' 6" wide.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Otry21 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Peter Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 1

Evidence Document Ref: EDDC Local Plan 2020 – 2042 Regulation 19 Second Consultation Request for the removal of Site Selection for Otry_21 from the plan. I hereby request your assistance in correcting a suspect decision contained within the emerging local plan. The area in question is the inclusion of the site known as Otry_21 within land included for potential development. It is quite clear that as demonstrated by the vast body of evidence and adverse public opinion that the inclusion of this site within a new local plan would be an extremely poor planning decision. The inclusion of Otry_21 is in direct conflict with the requirements of the National Planning Policy Framework, Emerging Local Plan, Ottery St Mary Neighbourhood Plan, and conservation requirements for the River Otter as further highlighted: - Conflicts with NPPF: Para.11 'Plans and decisions should apply a presumption in favour of sustainable development. a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change. d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land.' Para. 15 'The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social, and environmental priorities; and a platform for local people to shape their surroundings.' 2 Para. 77 'The supply of

large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should: a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential, and the scope for net environmental gains. b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself without expecting an unrealistic level of self-containment), or in larger towns to which there is good access.' Para.109 Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable, and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities. b) ensuring patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes, and contribute to making high quality places. c) understanding and addressing the potential impacts of development on transport networks. d) realising opportunities from existing or proposed transport infrastructure and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated. e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing, and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. Para. 110 The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both planmaking and decision-making. 3 Para. 115 'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. b) safe and suitable access to the site can be achieved for all users. d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach. Para. 116 Development should only be prevented or refused on highways grounds if

there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Para. 124 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.' Para. 125 'b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage, or food production. c) give substantial weight to the value of using suitable brownfield land within opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Para. 170 Inappropriate developments in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Para 171. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards. Para. 172 . All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. 4 Para. 187 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate. d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats, and hedgehogs. e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Para. 198 Planning policies and decisions should also ensure that new development is appropriate for its location

taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation. Conflicts with East Devon District Council Regulation 19 Draft Plan: Para. 2.6. Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities. Farming and rural activities will still dominate the use of land. Where possible we will retain high quality land in agricultural production as we move towards more environmentally sustainable farming practices into the middle decades of the 21st century. 5 SP05 Within the settlement boundaries defined on the Policies Map development will be supported in principle. This does not mean that all development will be acceptable within settlement boundaries: proposals will be considered on their own merits having regard to other policies in this plan and any made neighbourhood plan. SP06: In locations outside of the defined settlement boundaries development will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development. AR02 To minimise impact on protect, manage and improve water quality in all water bodies affected by development in East Devon: A. Planning permission will not be granted for any proposal which, because of inadequate provision of water services or inadequate or untimely provision of foul water and surface water drainage and disposal, would

1. cause pollution to the water environment, including coastal waters
2. result in the deterioration of the ecological status of a water body
3. overload the sewer network, or
4. result in an increase in flood risk at the site or elsewhere. DS01 Proposals will only be permitted where they: A. Respect the key characteristics and special qualities of the area in which the development is proposed. B. Ensure the appearance of buildings, including scale, massing, density, height, fenestration, and materials, relate well to their context. C. Do not adversely affect:
 1. The distinctive rural, historic or architectural character of the area.
 2. The urban form, in terms of significant street patterns, groups of buildings and open spaces.

3. The amenity of occupiers of adjoining residential properties.

4. The operation of existing uses outside of the proposed development. OL01 East Devon's landscape, countryside and rural areas (including rivers, watercourses and waterbodies) will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate through a proportionate Landscape Appraisal that it will protect and enhance valued landscape attributes and special features and qualities that contribute to the character of East Devon's landscapes, in particular where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including: A. Landform and water forms and patterns of settlement. B. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, trees and woodlands, areas of importance for nature conservation and rural buildings. C. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions; and 6 D. Aesthetic and perceptual factors such as tranquillity, wildness and dark skies. All development in the countryside should have regard to the most up to date Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as up to date strategy and guidance for trees and woodlands. OL04 Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the district, in particular by conserving and enhancing key views and views of local landmarks, including those identified in Neighbourhood Plans. The following view types are considered to be particularly important: A. Landmark views to and from viewpoints and tourism and recreational destinations, including the coast, woodland and open countryside. B. Views from publicly accessible areas which are within, to or from settlements which contribute to the viewers' enjoyment of the local area. C. Views from public rights of way and other publicly accessible areas. D. Night-time views of dark skies, particularly where lighting is to be introduced in areas of low existing light pollution; and E. Views which include or otherwise relate to specific features relevant to East Devon and its special qualities, such as key landmarks, heritage assets (either in view or the view from) and biodiversity features. Development proposals should conserve and enhance sequential views and not result in adverse cumulative impacts within views. OL09 Permission will not be granted for development which would result in pollution that cannot be adequately mitigated. This will include: A. Pollution of the environment by gas or particulates, including smell, fumes, dust, grit, smoke and soot. B. Pollution of surface or underground waters, for example by untreated sewage, including discharges to:

1. Rivers, other watercourses, water bodies and wetlands.

2. Water gathering grounds including water catchment areas, aquifers and groundwater protection areas.

3. Harbours, estuaries or the sea OL10 Unless allocated for development under another plan policy, planning permission for development affecting the best and most versatile agricultural land (Grades 1, 2 and 3a) will only be granted exceptionally if: A. Sufficient land of a lower grade (Grades 3b, 4 and 5) is unavailable, or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation outweighing the agricultural considerations; or B. The benefit of the development justifies and clearly outweighs the loss of high-quality agricultural land. 7 If there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations, including intrinsic nature conservation value of a site, outweigh land quality issues.

Conflicts with Ottery St Mary Neighbourhood Plan 2017 – 2031 Para. 6.3 The countryside of the Neighbourhood Plan Area is a highly valued asset with special character provided by the rolling farmland, wooded hillsides, winding lanes and the open river valley. The countryside is important for its aesthetic and leisure value, its essential farming role and its wildlife habitat value. The balance of the historic town, villages and smaller settlements surrounded by nature and countryside views is considered by the community to be a vital part of the character of the area. It makes the Parishes a special place to live and visit. It is of utmost importance that these characteristics are protected for current and future generations. Para. 6.4 National and local planning policy restricts development in the countryside. The adopted East Devon Local Plan does not identify the need for the Neighbourhood Plan to make any strategic or other housing development allocations due to the large number of new homes consented in recent years and the desirability of preserving the settlement pattern and character. As a result, no significant new developments whether within or outside of the existing settlements are needed during the Local Plan period. Para. 6.14 The unique pattern of settlements within the Neighbourhood Plan Area, each with their own distinctive character, is a valued part of its nature. This, coupled with developer pressure, particularly for new housing sites in and around the main settlements raises concerns about creeping development undermining and degrading the special character of the area over time. This must not be allowed to occur, and a major role of the planning system is to prevent and control this. Para. 6.15 In most cases, new development on land outside of the defined built up area boundaries of Ottery St Mary and West Hill will not be allowed in line with Local Plan and Neighbourhood Plan policies protecting the countryside. Inconsistency within Site Selection reports for Otry_21 The whole area surrounding Gerway Farm has been subject to repeated attempts by the landowner to promote development on this area of pristine agricultural land. It has been rejected in its entirety in the past and should continue to be rejected. 8 Otry_21 first appeared in the emerging plan as a Potential 2nd best option with an

allocation for 40 homes, Stating: ‘Allocation would need to be subject to satisfactory highways and archaeological/heritage assessment as the smaller section would need to be accessed through an existing estate and it is very sensitive in heritage terms, being a historic field enclosure with pre-historic and medieval finds nearby.’ The site made a re-appearance in September 2024, however had increased in density to now allocate 70 houses, with confusing statements, including: ‘Ottery St Mary has limited jobs, lacks a train station and accessibility is constrained by narrow roads, lack of pavements and a historic town centre,’ ‘Site is a significant greenfield site.’ It should be questioned, that why in the total absence of any change in the landscape, highway access or local housing need this area has risen from unacceptable to a density of 70 houses. Ottery St Mary – Transport and Public Realm Study 2022

2.3.13 The nature of the road network, as well as the land uses in the area, means that Ottery St Mary suffers from traffic travelling through the town centre, especially for the east/west movement. This can have a detrimental social and environmental impact on the streets especially in the narrow streets of the historic town centre.

2.3.14 The town also has a high demand from car traffic. This is apparent from the parking pressures and limitations on space for pedestrians and cyclists. Although the quality of the built heritage is very good, the public realm and streetscape is now dominated by vehicular traffic and suffers from blind bends, pinch points, narrow footways, poor cycling infrastructure and a lack of public space for social interaction.

2.3.21 Land use and transport are inextricably linked. It is the land uses that act as trip attractors or trip producers that give rise to the trip generation across the road network. Collectively the residential areas generate high levels of trip movements.

3.3.13 The East Devon local Plan is the emerging planning policy document for the district. It sets planning policies and proposals for new development in the district for the period 2020-2040. The emerging local plan strategy establishes Ottery St Mary as a Tier 2 settlement and as such an appropriate location for future growth and development.

3.3.14 However, the plan also acknowledges constraints on development including the extensive Conservation Area and setting of Grade 1 and 2* listed buildings, narrow approach roads to the historic centre which create traffic issues and significant congestion to the north, east and south, and the flood 9 plain of the River Otter. Expansion of the town to the north, east and south would exacerbate existing traffic issues. Hence, the plan favours development options to the west of the town, recognising that a green wedge has been designated to prevent coalescence between Ottery St Mary and West Hill village. The East Devon Water Cycle Study – November 2025 Key findings of the WCS are: Commissioned by East Devon District Council, this report was required to enable a clear understanding of the problems within the Otter

catchment area resulting from wastewater treatment. The report also informs the areas where future development should not occur without prior improvements to the wastewater treatment process, failure to prevent development (in particular residential development) will result in further unacceptable pollution in the River Otter. Three critical areas are identified as being at high risk from nutrient loading due to the increases in wastewater production from proposed housing developments: the River Exe Estuary, the River Axe, and the Otter Estuary. These areas are vulnerable due to direct effluent discharges or cumulative effects from multiple sources, exacerbating existing problems like phosphate pollution. Infrastructure enhancements and continued rigorous planning are recommended to handle the increased wastewater and sewage loads expected from new developments. Policy recommendations: To ensure sustainable growth and compliance with environmental standards, EDDC must embed water efficiency and water quality safeguards into the emerging Local Plan. The East Devon WCS outlines the essential considerations for managing water resources, wastewater, and environmental conservation considering projected development across the district. Its evidence-based observations and recommendations aim to steer East Devon towards a future where growth and sustainability coexists equally, ensuring that water management practices enhance rather than compromise the natural and built environment. The current existing flows, without proposed growth, are shown in Table 5.5. Using the 3-year average Q80 flow as the Actual DWF provided by SWW, four of the 15 WwTW that are expected to have development growth are currently exceeding, including Feniton, Fluxton, Honiton and Woodbury Summary New development in East Devon will increase demand on the sewerage network & WwTWs, resulting in higher treated discharge flows. This growth may exacerbate flood risk and reduce network capacity, requiring mitigation measures and infrastructure upgrades. Where WwTWs operate at or above 90% of their permitted capacity, further investigation is needed to assess environmental impacts and compliance with 10 pollutant limits. Using RQP modelling for riverine discharges and load standstill calculations for tidal systems, capacity analysis shows that seven WwTWs, including Colyton, Countess Wear, Honiton, Fluxton, Feniton, Seaton South and Woodbury will exceed permitted flow headroom post-growth. Policy recommendations Based on the analysis presented in Sections 4 to 6 of this WCS, the following high level policy recommendations should be considered by EDDC in the development of the Local Plan: Potential developments that may adversely affect green infrastructure assets and water quality should not be permitted. South West Water - Strategic Drainage and Wastewater Management Plan – Otter May 2023 This plan as published by SWW is their strategy to cover the period up to 2030 for Level 2 Catchments. Included within this strategy is a plan area for the Level 2 Catchment area of Ottery St Mary and shows that NO RESIDENTIAL DEVELOPMENT is allowed for within Ottery St Mary. It also states that Fluxton WwTW is overwhelmingly in either the Immediate moderate risk or Immediate high-risk category for many pollution incidents. A recent, 2018, upgrade to Fluxton WwTW costing £5m was completed and it

is stated that this will meet all requirements to 2031. It is not anticipated that any further investment will come forward, Storm Overflow's The Pumping Station and Storm Overflow below and serving the Gerway Farm area is currently greatly exceeding its permitted spill rate. The latest figures confirm that in 2024 it spilled a total of 13 times, which is compared to a permitted rate of 3 per year. SWW state their plan aims to reduce the number of spills to 3 by 2030/50. Surrounding Area Ottery St Mary is within Zone 2 influence for the East Devon Pebblebed Heaths. The town takes its name from the River Otter, which flows through the area, linking the surrounding landscape and having the East Devon Pebblebed Heaths running along an escarpment towards it. As a significant local settlement, Ottery St Mary faces ongoing pressure for new housing development. These developments are a concern due to their potential to increase recreational use and thus disturb the sensitive ecology of the heaths, which are a Special Area of Conservation (SAC) and Special Protection Area (SPA). Local planning decisions, such as those by the East Devon District Council and the Ottery St Mary Town Council, must consider the "Habitats Regulations" to ensure no adverse effects occur on the heaths' protected habitats and species. 11 The proposed site Otry_21 is in direct line of site from the Historic England site of Belbury Castle Heritage List No: 1017774, this should be considered a protected view. Due to its physical characteristics Otry_21, has a direct link to The River Otter through the stream flowing at the base of the site. It will prove impossible due to the nature of the ground to prevent the runoff of contaminated surface water and wastewater overflows from entering the river. Development should be precluded from this area. There is no demonstrable evidence of the need for additional housing within Ottery St Mary, in fact, there is currently a large surplus of housing for sale. The site in question is home to a large number of species both with and without protected status, including, Bats, Dormice, Buzzard and Merlin and is in extremely close proximity to Badgers and the newly introduced Beaver groups. I trust in consideration of all the preceding objections in particular the major traffic congestion and additional danger to parents and children that would be caused at the Winters Lane and Longdogs area of the town and your responsibility to safeguard the water quality within the River Otter you are able to request the removal of Otry_21 from the emerging local plan. Otry_21's inclusion in this plan has already provoked an attempt to increase the proposed development area and will no doubt encourage this speculative nature in pursuit of further undesirable development destroying rural landscapes and pristine agricultural land. The inclusion of this site would be an exceptionally poor and unjustified planning decision.

Full name: Peter Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. Ottery St Mary does not have a need for additional housing developments, I request that you question the accuracy of the Reg.19 figures and indeed the very term Housing Need, this is not an actual need it is a notional figure derived by calculation to achieve a Government Target. East Devon is using the standard method calculation; however this method provides a starting point for local authorities, but it is not a mandatory unchangeable target. Local authorities can use evidence constraints, such as the presence of a National landscape in their Local Plan. The Government has clarified that meeting housing need is never a reason to cause unacceptable harm to protected places. The fact that East Devon is 66% National Landscape should be embraced by the Planners to help reduce the target figure and avoid building on excellent quality agricultural land. East Devon is not taking this approach and in fact are criticising nearby Torbay for doing so. WHY? The Neighbourhood Plan is clear that Ottery St Mary does not need nor can cope with further large-scale development at the expense of its countryside and character. Keeping Otry_21 in the plan ignores that locally agreed vision. Many objections to the inclusion of Otry_21 have been raised and the site has previously been discounted for

reasons that have not changed. Over 560 objections have been raised for a development encompassing this area with the following Consultees having objected: · DCC Flood Risk Management · Otter Valley Association · Devon County Archaeologist · DCC Councilor for the area · Ottery St Mary Mayor · Ottery St Mary Town Council · EDDC Planning Policy Team question its suitability For all these reasons the allocation of Otry_21 is: · Unsustainable · In conflict with national, local, and neighbourhood policies · Environmentally harmful · Infrastructure-constrained · Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary, it would also seriously constrain the ability of EDDC planners to prevent further requests to expand Ottery St Mary in this highly unsuitable South Easterly direction. Pressure for such development is already evidenced by the controversial application 25/2468/MOUT.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Peter Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements

Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development

south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

- a) The distinctive countryside setting,
- b) The historic settlement pattern, and
- c) the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats

The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations.

The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is: · Unsustainable · In conflict with national, local, and neighbourhood policies · Environmentally harmful · Infrastructure-constrained · Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Peter Wright

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

- a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.
- b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.
- c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

- a) SP06 – which restricts development outside settlement boundaries.
- b) AR02, OL01, OL04,

OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway

concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: • Unsustainable • In conflict with national, local, and neighbourhood policies • Environmentally harmful • Infrastructure-constrained • Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan. Yours faithfully*** Personal details have been removed ***

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Removal From Local Plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Evidence Document Ref: EDDC Local Plan 2020 – 2042 Regulation 19 Second Consultation Request for the removal of Site Selection for Otry_21 from the plan. I hereby request your assistance in correcting a suspect decision contained within the emerging local plan. The area in question is the inclusion of the site known as Otry_21 within land included for potential development. It is quite clear that as demonstrated by the vast body of evidence and adverse public opinion that the inclusion of this site within a new local plan would be an extremely poor planning decision. The inclusion of Otry_21 is in direct conflict with the requirements of the National Planning Policy Framework, Emerging Local Plan, Ottery St Mary Neighbourhood Plan, and conservation requirements for the River Otter as further highlighted: - Conflicts with NPPF: Para.11 'Plans and decisions should apply a presumption in favour of sustainable development. a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change. d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for

directing development to sustainable locations, making effective use of land.’ Para. 15 ‘The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social, and environmental priorities; and a platform for local people to shape their surroundings.’ Para. 77 ‘The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should: a) consider the opportunities presented by existing or planned investment in infrastructure, the area’s economic potential, and the scope for net environmental gains. b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself without expecting an unrealistic level of self-containment), or in larger towns to which there is good access.’ Para.109 Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable, and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities. b) ensuring patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes, and contribute to making high quality places. c) understanding and addressing the potential impacts of development on transport networks. d) realising opportunities from existing or proposed transport infrastructure and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated. e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing, and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. Para. 110 The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. Para. 115 ‘In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the

site, the type of development and its location. b) safe and suitable access to the site can be achieved for all users. d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach. Para. 116 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Para. 124 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.' Para. 125 'b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage, or food production. c) give substantial weight to the value of using suitable brownfield land within opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Para. 170 Inappropriate developments in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Para 171. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards. Para. 172 . All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. Para. 187 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate. d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats, and hedgehogs. e) preventing new and existing development from contributing to, being put at unacceptable risk from, or

being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Para. 198 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation. Conflicts with East Devon District Council Regulation 19 Draft Plan: Para. 2.6. Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities. Farming and rural activities will still dominate the use of land. Where possible we will retain high quality land in agricultural production as we move towards more environmentally sustainable farming practices into the middle decades of the 21st century. SP05 Within the settlement boundaries defined on the Policies Map development will be supported in principle. This does not mean that all development will be acceptable within settlement boundaries: proposals will be considered on their own merits having regard to other policies in this plan and any made neighbourhood plan. SP06: In locations outside of the defined settlement boundaries development will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development. AR02 To minimise impact on protect, manage and improve water quality in all water bodies affected by development in East Devon: A. Planning permission will not be granted for any proposal which, because of inadequate provision of water services or inadequate or untimely provision of foul water and surface water drainage and disposal, would 1. cause pollution to the water environment, including coastal waters 2. result in the deterioration of the ecological status of a water body 3. overload the sewer network, or 4. result in an increase in flood risk at the site or elsewhere. DS01 Proposals will only be permitted where they: A. Respect the key characteristics and special qualities of the area in which the development is proposed. B. Ensure the appearance of buildings, including scale, massing, density, height, fenestration, and materials, relate well to their context. C. Do not adversely affect: 1. The distinctive rural, historic or architectural character of the area. 2. The urban form, in terms of significant street patterns, groups of buildings and open spaces. 3. The amenity of occupiers of adjoining residential properties. 4. The operation of existing uses outside of the proposed development. OL01 East Devon's landscape, countryside

and rural areas (including rivers, watercourses and waterbodies) will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate through a proportionate Landscape Appraisal that it will protect and enhance valued landscape attributes and special features and qualities that contribute to the character of East Devon's landscapes, in particular where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including: A. Landform and water forms and patterns of settlement. B. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, trees and woodlands, areas of importance for nature conservation and rural buildings. C. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions; and D. Aesthetic and perceptual factors such as tranquillity, wildness and dark skies. All development in the countryside should have regard to the most up to date Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as up to date strategy and guidance for trees and woodlands. OL04 Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the district, in particular by conserving and enhancing key views and views of local landmarks, including those identified in Neighbourhood Plans. The following view types are considered to be particularly important: A. Landmark views to and from viewpoints and tourism and recreational destinations, including the coast, woodland and open countryside. B. Views from publicly accessible areas which are within, to or from settlements which contribute to the viewers' enjoyment of the local area. C. Views from public rights of way and other publicly accessible areas. D. Night-time views of dark skies, particularly where lighting is to be introduced in areas of low existing light pollution; and E. Views which include or otherwise relate to specific features relevant to East Devon and its special qualities, such as key landmarks, heritage assets (either in view or the view from) and biodiversity features. Development proposals should conserve and enhance sequential views and not result in adverse cumulative impacts within views. OL09 Permission will not be granted for development which would result in pollution that cannot be adequately mitigated. This will include: A. Pollution of the environment by gas or particulates, including smell, fumes, dust, grit, smoke and soot. B. Pollution of surface or underground waters, for example by untreated sewage, including discharges to: 1. Rivers, other watercourses, water bodies and wetlands. 2. Water gathering grounds including water catchment areas, aquifers and groundwater protection areas. 3. Harbours, estuaries or the sea OL10 Unless allocated for development under another plan policy, planning permission for development affecting the best and most versatile agricultural land (Grades 1, 2 and 3a) will only be granted exceptionally if: A. Sufficient land of a lower grade (Grades 3b, 4 and 5) is unavailable, or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or

archaeological designation outweighing the agricultural considerations; or B. The benefit of the development justifies and clearly outweighs the loss of high-quality agricultural land. If there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations, including intrinsic nature conservation value of a site, outweigh land quality issues.

Conflicts with Ottery St Mary Neighbourhood Plan 2017 – 2031 Para. 6.3 The countryside of the Neighbourhood Plan Area is a highly valued asset with special character provided by the rolling farmland, wooded hillsides, winding lanes and the open river valley. The countryside is important for its aesthetic and leisure value, its essential farming role and its wildlife habitat value. The balance of the historic town, villages and smaller settlements surrounded by nature and countryside views is considered by the community to be a vital part of the character of the area. It makes the Parishes a special place to live and visit. It is of utmost importance that these characteristics are protected for current and future generations. Para. 6.4 National and local planning policy restricts development in the countryside. The adopted East Devon Local Plan does not identify the need for the Neighbourhood Plan to make any strategic or other housing development allocations due to the large number of new homes consented in recent years and the desirability of preserving the settlement pattern and character. As a result, no significant new developments whether within or outside of the existing settlements are needed during the Local Plan period. Para. 6.14 The unique pattern of settlements within the Neighbourhood Plan Area, each with their own distinctive character, is a valued part of its nature. This, coupled with developer pressure, particularly for new housing sites in and around the main settlements raises concerns about creeping development undermining and degrading the special character of the area over time. This must not be allowed to occur, and a major role of the planning system is to prevent and control this. Para. 6.15 In most cases, new development on land outside of the defined built up area boundaries of Ottery St Mary and West Hill will not be allowed in line with Local Plan and Neighbourhood Plan policies protecting the countryside. Inconsistency within Site Selection reports for Otry_21 The whole area surrounding Gerway Farm has been subject to repeated attempts by the landowner to promote development on this area of pristine agricultural land. It has been rejected in its entirety in the past and should continue to be rejected. Otry_21 first appeared in the emerging plan as a Potential 2nd best option with an allocation for 40 homes, Stating: ‘Allocation would need to be subject to satisfactory highways and archaeological/heritage assessment as the smaller section would need to be accessed through an existing estate and it is very sensitive in heritage terms, being a historic field enclosure with pre-historic and medieval finds nearby.’ The site made a re-appearance in September 2024, however had increased in density to now allocate 70 houses, with confusing statements, including: ‘Ottery St Mary has limited jobs, lacks a train station and accessibility is constrained by narrow roads, lack of pavements and a historic town centre,’ ‘Site is a significant greenfield site.’ It should be questioned, that

why in the total absence of any change in the landscape, highway access or local housing need this area has risen from unacceptable to a density of 70 houses. Ottery St Mary – Transport and Public Realm Study 2022 2.3.13 The nature of the road network, as well as the land uses in the area, means that Ottery St Mary suffers from traffic travelling through the town centre, especially for the east/west movement. This can have a detrimental social and environmental impact on the streets especially in the narrow streets of the historic town centre. 2.3.14 The town also has a high demand from car traffic. This is apparent from the parking pressures and limitations on space for pedestrians and cyclists. Although the quality of the built heritage is very good, the public realm and streetscape is now dominated by vehicular traffic and suffers from blind bends, pinch points, narrow footways, poor cycling infrastructure and a lack of public space for social interaction. 2.3.21 Land use and transport are inextricably linked. It is the land uses that act as trip attractors or trip producers that give rise to the trip generation across the road network. Collectively the residential areas generate high levels of trip movements. 3.3.13 The East Devon local Plan is the emerging planning policy document for the district. It sets planning policies and proposals for new development in the district for the period 2020-2040. The emerging local plan strategy establishes Ottery St Mary as a Tier 2 settlement and as such an appropriate location for future growth and development. 3.3.14 However, the plan also acknowledges constraints on development including the extensive Conservation Area and setting of Grade 1 and 2* listed buildings, narrow approach roads to the historic centre which create traffic issues and significant congestion to the north, east and south, and the flood plain of the River Otter. Expansion of the town to the north, east and south would exacerbate existing traffic issues. Hence, the plan favours development options to the west of the town, recognising that a green wedge has been designated to prevent coalescence between Ottery St Mary and West Hill village. The East Devon Water Cycle Study – November 2025 Key findings of the WCS are: Commissioned by East Devon District Council, this report was required to enable a clear understanding of the problems within the Otter catchment area resulting from wastewater treatment. The report also informs the areas where future development should not occur without prior improvements to the wastewater treatment process, failure to prevent development (in particular residential development) will result in further unacceptable pollution in the River Otter. Three critical areas are identified as being at high risk from nutrient loading due to the increases in wastewater production from proposed housing developments: the River Exe Estuary, the River Axe, and the Otter Estuary. These areas are vulnerable due to direct effluent discharges or cumulative effects from multiple sources, exacerbating existing problems like phosphate pollution. Infrastructure enhancements and continued rigorous planning are recommended to handle the increased wastewater and sewage loads expected from new developments. Policy recommendations: To ensure sustainable growth and compliance with environmental standards, EDDC must embed water efficiency and water quality safeguards into the emerging Local Plan. The

East Devon WCS outlines the essential considerations for managing water resources, wastewater, and environmental conservation considering projected development across the district. Its evidence-based observations and recommendations aim to steer East Devon towards a future where growth and sustainability coexists equally, ensuring that water management practices enhance rather than compromise the natural and built environment. The current existing flows, without proposed growth, are shown in Table 5.5. Using the 3-year average Q80 flow as the Actual DWF provided by SWW, four of the 15 WwTW that are expected to have development growth are currently exceeding, including Feniton, Fluxton, Honiton and Woodbury Summary New development in East Devon will increase demand on the sewerage network & WwTWs, resulting in higher treated discharge flows. This growth may exacerbate flood risk and reduce network capacity, requiring mitigation measures and infrastructure upgrades. Where WwTWs operate at or above 90% of their permitted capacity, further investigation is needed to assess environmental impacts and compliance with pollutant limits. Using RQP modelling for riverine discharges and load standstill calculations for tidal systems, capacity analysis shows that seven WwTWs, including Colyton, Countess Wear, Honiton, Fluxton, Feniton, Seaton South and Woodbury will exceed permitted flow headroom post-growth. Policy recommendations Based on the analysis presented in Sections 4 to 6 of this WCS, the following high level policy recommendations should be considered by EDDC in the development of the Local Plan: Potential developments that may adversely affect green infrastructure assets and water quality should not be permitted. South West Water - Strategic Drainage and Wastewater Management Plan – Otter May 2023 This plan as published by SWW is their strategy to cover the period up to 2030 for Level 2 Catchments. Included within this strategy is a plan area for the Level 2 Catchment area of Ottery St Mary and shows that NO RESIDENTIAL DEVELOPMENT is allowed for within Ottery St Mary. It also states that Fluxton WwTW is overwhelmingly in either the Immediate moderate risk or Immediate high-risk category for many pollution incidents. A recent, 2018, upgrade to Fluxton WwTW costing £5m was completed and it is stated that this will meet all requirements to 2031. It is not anticipated that any further investment will come forward, Storm Overflow's The Pumping Station and Storm Overflow below and serving the Gerway Farm area is currently greatly exceeding its permitted spill rate. The latest figures confirm that in 2024 it spilled a total of 13 times, which is compared to a permitted rate of 3 per year. SWW state their plan aims to reduce the number of spills to 3 by 2030/50. Surrounding Area Ottery St Mary is within Zone 2 influence for the East Devon Pebblebed Heaths. The town takes its name from the River Otter, which flows through the area, linking the surrounding landscape and having the East Devon Pebblebed Heaths running along an escarpment towards it. As a significant local settlement, Ottery St Mary faces ongoing pressure for new housing development. These developments are a concern due to their potential to increase recreational use and thus disturb the sensitive ecology of the heaths, which are a Special Area of Conservation (SAC) and Special Protection Area (SPA). Local planning

decisions, such as those by the East Devon District Council and the Ottery St Mary Town Council, must consider the "Habitats Regulations" to ensure no adverse effects occur on the heaths' protected habitats and species. The proposed site Otry_21 is in direct line of sight from the Historic England site of Belbury Castle Heritage List No: 1017774, this should be considered a protected view. Due to its physical characteristics Otry_21, has a direct link to The River Otter through the stream flowing at the base of the site. It will prove impossible due to the nature of the ground to prevent the runoff of contaminated surface water and wastewater overflows from entering the river. Development should be precluded from this area. There is no demonstrable evidence of the need for additional housing within Ottery St Mary, in fact, there is currently a large surplus of housing for sale. The site in question is home to a large number of species both with and without protected status, including, Bats, Dormice, Buzzard and Merlin and is in extremely close proximity to Badgers and the newly introduced Beaver groups. I trust in consideration of all the preceding objections in particular the major traffic congestion and additional danger to parents and children that would be caused at the Winters Lane and Longdogs area of the town and your responsibility to safeguard the water quality within the River Otter you are able to request the removal of Otry_21 from the emerging local plan. Otry_21's inclusion in this plan has already provoked an attempt to increase the proposed development area and will no doubt encourage this speculative nature in pursuit of further undesirable development destroying rural landscapes and pristine agricultural land. The inclusion of this site would be an exceptionally poor and unjustified planning decision.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Removal of sdite from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See attached statements

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Representing Gerway Farm Development Action Group, we oppose all development on this land.

Full name: Rosie Walker

Organisation (where relevant): Woodland Trust

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
GH/ED/27

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: These site allocations are adjacent to Ancient Woodland (ASNW) - irreplaceable habitat according to the NPPF and should be reviewed - extra clauses should be added to ensure significant buffers of at least 50metres from the development to reduce impact. Please refer to the Natural England Standing advice on Ancient woodland and irreplaceable habitats. This can be found at <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions> ?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ensure that suitable wording is provided to ensure the protection of irreplaceable habitats, veteran and ancient trees at the locations in the attachment to this submission.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

These site allocations require additional consideration for the threats they pose to irreplaceable habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kerry Kennell

Organisation (where relevant): Ottery St Mary Town Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_09, Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Local knowledge of the Council supports that an FRA should be completed for Otry_09. Whilst the Council supports that an FRA is not required for the proposed 70 houses on Otry_21 any further extension of this site most definitely would require an FRA.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
GH/ED/27

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify that archaeological assessment will be required prior to development commencing. This resolves the issue we raised in our response to the Regulation 19 Plan.

SD05

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD05

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::

Seat_13a

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Devon County Council maintains its objection to allocation Seat_13a due to insufficient information on the presence and significance of any heritage assets with archaeological interest associated with the nationally important and scheduled monument adjacent and to the south.

Full name: Margaret Leppard

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD05

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Seat_13a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Axeview development SEA-13a.

I re-iterate my concerns about neighbourhood surface water flooding should this development proceed

Full name: MR D. MORGAN

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD05

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Seat_13a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
Strategic Policy SD05: Seaton and its development allocations:

(Page 101). Quote: ‘Land west of Axeview Road (Seat_13a)’: “This site is allocated for around 39 dwellings. Archaeological assessment through geophysical survey and field evaluation should be undertaken prior to the site being developed. Development must be sensitively located and designed to ensure that it avoids damage to archaeological remains and conserves the setting of Roman and Earlier Settlement remains at Honeyditches Scheduled Monument. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented.”

I support the inclusion of this final sentence in relation to the importance of Beer Quarry and Caves SAC and bat activities being a vital consideration and the need for them to be conserved when considered against any potential future development of this site. I would hope the inclusion of this sentence will ensure that it is given robust and defended consideration by the Local Planning Authority against the economic benefits of future development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: MR D. MORGAN

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD05

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Seat_05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
Strategic Policy SD05: Seaton and its development allocations. (Page 101).

Quote: 'Land off Harepath Road (Seat_05)': "This site is allocated for around 130 dwellings and 2.2 hectares of employment land. The employment land should be located in the field immediately north of the existing Harepath Road Industrial Estate. The small areas of adjoining woodland to the north should be enhanced through additional planting. Tree planting/landscaping on the northern edge is required and will help soften boundary edges with the countryside. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. Development proposals should explore opportunities to improve bus stop infrastructure on Harepath Road, to promote sustainable travel. Proposals should also consider pedestrian/cycle access onto Colyford Road and the Seaton – Colyford multi-use trail. Seat_03 and Seat_05 will need to come forward as a co-ordinated and comprehensive development that delivers the proposed large-scale mixed-use development on the northern edge of Seaton and seeks to deliver the long-standing need for a football pitch as part of a viable package of planning obligations. A harmonised vehicular access will need to be provided off Harepath Road."

I support the inclusion of this last sentence in relation to the need for a harmonised vehicular access needing to be provided off Harepath Road. Harepath Road is the safest main route that would serve this site given its long, straight design and nearby access to the A3052. The alternative option of using Colyford Road with its more winding character heading both towards Seaton and the neighbouring village of Colyford, and without pavements, would create a higher level of safety compromise from increased traffic volume. Therefore, Harepath Road presents a better engineered solution to serve the needs of any new development that might take place on this site. It provides any developers looking to submit an application for this site with a clearly defined, evidence-based and legally sound requirement.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: MR D. MORGAN

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD05

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Seat_03

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Land to the south of Harepath Hill (Seat_03):

(Page 100-101), Quote: "This site is allocated for around 75 dwellings. Built development should be concentrated in the less prominent eastern edge near Harepath Road, and/or to the south adjoining existing dwellings up to around the 55m contour line. Development should also respect the setting of the Grade II listed Harepath Farm."

I do not support the inclusion of the word "around" in relation to 55m for the contour line in relation to the adjoining the existing dwellings. The inclusion of the words "around the" in relation to the 55 m contour line is an approximation term rather than being specific in relation to a minimum distance away from adjoining existing dwellings. As such, it makes the 55 m distance of the contour line open for re-interpretation or manipulation by an applicant. The consequences of this could have an adverse impact on occupiers of the existing dwellings to the south of the boundary/contour line in terms of loss of privacy and visual intrusion of the new dwellings', particularly if they were taller chalet bungalows or two-storey houses. Likewise, the impact of the existing dwellings to the south of the contour line could have an adverse impact on the occupiers of any new dwellings built on this identified site to the south of Harepath Hill. The use of "around the" is open to interpretation and could in relation to the desired 55

m contour line being reduced, be successfully reduced if an applicant was to challenge this with the Planning Inspectorate in the event a planning application was refused by the Local Planning Authority.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

The previously quoted and fixed figure of 55m for the contour line must be retained in the Local Plan to provide transparent, rigid guidance to any new development on this site of what would be the required minimum figure they need to adhere to, rather than making it open for interpretation. This would also link in with good design practises and policies in terms of respecting existing design and boundary characteristics. Therefore the wording of this sentence in the Local Plan needs to read as: "This site is allocated for around 75 dwellings. Built development should be concentrated in the less prominent eastern edge near Harepath Road, and/or to the south adjoining existing dwellings up to the 55m contour line."

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I believe the Local Plan must set robust, concrete guidelines, especially in relation to distances from a contour line in order to reduce ambiguity and potentially manipulation by applicants, which might otherwise have an adverse effect on occupiers of existing dwellings.

Full name: MR D. MORGAN

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD05

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Seat_02

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Quote: 'Land at Barnards Hill Lane (Seat_02)': "This site is allocated for around 40 dwellings. A wide buffer should be provided to the northern boundary with tree planting/landscaping in the northern and western edges to soften the boundary with the countryside and create a well considered and designed northern edge to Seaton. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. [Development would need to provide a safe access onto Polar Tree Drive and also consider impacts on and proximity to the Poplar Tree Drive/Barnards Hill Lane junction, with mitigation to improve road safety and/or calm traffic potentially required]."

I do not support the removal of the quoted last sentence on Page 100 of the Local Plan: "Development would need to provide a safe access onto Poplar Tree Drive and also consider impacts on and proximity to the Poplar Tree Drive/Barnards Hill Lane junction, with mitigation to improve road safety and/or calm traffic potentially required." To date there has been no formal application and no feedback from Devon Highways in relation to this site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any

matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As a greenfield site in a built up area, safety for road users and pedestrians must promote the highest levels of safe access into and out of any new development. Poplar Tree Drive and Barnards Hill Lane lead into junctions for a number of existing large housing estates, with the majority of occupiers being car users. Therefore, the proposed deletion of the sentence for “providing a safety access onto Poplar Tree Drive and/or Barnards Hill Lane” is unsound and must therefore be retained in the final Local Plan. Retaining this sentence on page 100 of the Local Plan provides an additional layer of engineered safety design that an applicant would need to be able to demonstrate they can successfully deliver, beyond the potentially lesser standard of “improved road safety and/or calm traffic” measures.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD05

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Seat_13a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The site is north of, and immediately adjacent to, a sizeable Scheduled Monument: Roman and earlier settlement at Honeyditches – a heritage asset of the highest significance according to the NPPF. Please refer to our comments on the Regulation 19 Local Plan.

Proposed amendments to the wording of the policy relate to habitats and do not address any of the issues we have previously raised. We are aware that geophysical assessment and an HIA have been carried out. However, our view remains that that this site is unsuitable for development due to its impact on the significance of the Scheduled Monument as a result of development physically and visually separating the monument from its agricultural setting. Impacts on non-designated archaeology are also likely.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We recommend that this site allocation is removed from the Plan.

SD06

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_01 , Sidm_31, Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Sidm_01 : 160 new homes - again, inside the NL • Two other smaller Sidm_31 and Sidm_06a - also within the NL Most, if not all, of these sites cannot be justified as exceptional circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Land east of Burscombe Lane/ west of Windsor Mead, Sidford (Sidm_31) -'around' 15 'single storey' new homes with 'expected access from Windsor Mead'.

We object as new addition to Housing sites as - (i) This site encroaches in to the National Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan that gives sites like this the 'highest level of protection of land in the landscape and scenic beauty of the National Landscapes in East Devon' like this property. (ii) This proposal contradicts Policy SP06 of this new version of the Local Plan that requires new development to be within the settlement boundary/ urban boundary unless expressly permitted by the Neighbourhood Plan. This development is also outside the originally approved 'settlement boundary' in the previous version of the draft Local Plan, which has been recently extended without consultation. (iii) Public Consultation. Originally this site, proposed for development in the draft local plan consulted on in 2022/ 2023 was Rejected as being unsuitable. But then without explanation included it has been slipped in as a late addition without formal consultation on its inclusion. (iv) Key Views. The proposed site is elevated on a slope and will be visible from across the valley. Designs for any proposed development within the National Landscape should respect the visual and visible impact on the area including the visual effect on the protection of the "Green Wedge". The Sid Valley Neighbourhood Plan in Policy 2 demands 'The protection of Key Views' which this development will fail to do. (v) Access from Windsor Mead to this Burscombe Lane site - this is not practical as the access route into Burscombe Lane is privately owned land

and the property owner does not want to sell his interest in the land. So access from Windsor Mead to Burscombe Lane can only be achieved by the Council using its CPO powers which seems unlikely. Also the junction of Windsor Mead and Sidford High Street is not suitable for handling the expected increased vehicular traffic from this proposed Burscombe Lane development.

We are concerned that this development contains no Affordable Housing as required in this draft Local Plan. We are also concerned that this development (a) should comply with this Local Plans' own Strategic Policy PB05 (Page 257) to achieve 20% Biodiversity Net Gain (BNG), (b) by the implied loss of existing agricultural land (c) should avoid the existing flooding problems down Burscombe Lane onto Sidford High Street.

In this respect, we note that Devon County Council has already objected to the outstanding planning application on this site due to the lack of a surface drainage management plan. Currently the site is naturally draining into the ground surface. Any development on this sloping site would require much improved drainage to avoid the impact of flash flooding and surface water run off affecting this site and other neighbouring land.

Also we note that the Environment Agency identifies the site may contain evidence of Romano-British settlement and recommends a Written Scheme of Investigation (WSI) prior to any development taking place.

Accordingly, we object to this proposed Burscombe Lane/ west of Windsor Mead, Sidford (Sidm_31) proposal for the reasons outlined above.

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Allocation of 'around 15 new homes'.

We object to this proposal as - (i) This site encroaches into the National Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan that gives sites like this the 'highest level of protection of land in the landscape and scenic beauty of the National Landscapes in East Devon' like this property. (ii) This proposal contradicts Policy SP06 of this new version of the Local Plan that requires new development to be within the previously published settlement boundary / urban boundary. (iii) This proposal contradicts Policy OL05: Green Wedges of this new version of the Local Plan 2020 - 2042 which will lead to 'Settlement Coalescence'.

We are also concerned that this development contains no Affordable Housing as required in this draft Local Plan.

We are also concerned that this development - (a)provides no details on how this sensitive site will achieve this Local Plans'own Strategic Policy PB05 (Page 257) to achieve 20% Biodiversity Net Gain (BNG), (b)implies the loss of existing agricultural land and, (c)has a history of flooding on to the busy Two Bridges Road below obstructing vehicular traffic which then has to take long diversions

To conclude we strongly object to the development of this site

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_01

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Land South West of Woolbrook Road (Sidm_01) - formerly 127 new homes - Now increased without prior discussion to 160 homes at the suggestion of the landowner in this latest draft Local Plan.

We object to this proposal because - i) There has been no prior discussion on this enlarged development site with another 33 new housing units compared to the original proposal. This enlarged site has been slipped into this latest version of the Local plan November 2025 without Consultation, ii) This site encroaches in to the National Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan that gives sites like this the 'highest level of protection of land in the landscape and scenic beauty of the National Landscapes in East Devon' like this property. iii) This proposal contradicts Policy SP06 of this new version of the Local Plan that requires new development to be within the existing settlement boundary unless expressly permitted by the Neighbourhood Plan. NB The settlement boundary has been recently extended out from Sidmouth without consultation.

We are also concerned that this development contains no Affordable Housing as required in this draft Local Plan.

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Land east of Burscombe Lane/ west of Windsor Mead, Sidford (Sidm_31) – ‘around’ 15 ‘single storey’ new homes with ‘expected access from Windsor Mead’.

We object as new addition to Housing sites as –

(i) This site encroaches in to the National Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan that gives sites like this the ‘highest level of protection of land in the landscape and scenic beauty of the National Landscapes in East Devon’ like this property.

(ii) This proposal contradicts Policy SP06 of this new version of the Local Plan that requires new development to be within the settlement boundary/ urban boundary unless expressly permitted by the Neighbourhood Plan. This development is also outside the originally approved ‘settlement boundary’ in the previous version of the draft Local Plan, which has been recently extended without consultation.

(iii) Public Consultation. Originally this site, proposed for development in the draft local plan consulted on in 2022/ 2023 was Rejected as being unsuitable. But then

without explanation included it has been slipped in as a late addition without formal consultation on its inclusion.

(iv) Key Views. The proposed site is elevated on a slope and will be visible from across the valley. Designs for any proposed development within the National Landscape should respect the visual and visible impact on the area including the visual effect on the protection of the “Green Wedge”. The Sid Valley Neighbourhood Plan in Policy 2 demands ‘The protection of Key Views’ which this development will fail to do.

(v) Access from Windsor Mead to this Burscombe Lane site - this is not practical as the access route into Burscombe Lane is privately owned land and the property owner does not want to sell his interest in the land.

So access from Windsor Mead to Burscombe Lane can only be achieved by the Council using its CPO powers which seems unlikely. Also the junction of Windsor Mead and Sidford High Street is not suitable for handling the expected increased vehicular traffic from this proposed Burscombe Lane development.

We are concerned that this development contains no Affordable Housing as required in this draft Local Plan.

We are also concerned that this development (a) should comply with this Local Plans’ own Strategic Policy PB05 (Page 257) to achieve 20% Biodiversity Net Gain (BNG), (b) by the implied loss of existing agricultural land (c) should avoid the existing flooding problems down Burscombe Lane onto Sidford High Street.

In this respect, we note that Devon County Council has already objected to the outstanding planning application on this site due to the lack of a surface drainage management plan. Currently the site is naturally draining into the ground surface. Any

development on this sloping site would require much improved drainage to avoid the impact of flash flooding and surface water run off affecting this site and other neighbouring land.

Also we note that the Environment Agency identifies the site may contain evidence of Romano-British settlement and recommends a Written Scheme of Investigation (WSI) prior to any development taking place.

Accordingly, we object to this proposed Burscombe Lane/ west of Windsor Mead, Sidford (Sidm_31) proposal for the reasons outlined above.

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Land West of Two Bridges Road, Sidford (Sid_06a) – Allocation of ‘around 15 new homes’.

We object to this proposal as - (i) This site encroaches into the National Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan that gives sites like this the ‘highest level of protection of land in the landscape and scenic beauty of the National Landscapes in East Devon’ like this property.

(ii) This proposal contradicts Policy SP06 of this new version of the Local Plan that requires new development to be within the previously published settlement boundary/ urban boundary.

(iii) This proposal contradicts Policy OL05: Green Wedges of this new version of the Local Plan 2020 – 2042 which will lead to ‘Settlement Coalescence’.

We are also concerned that this development contains no Affordable Housing as required in this draft Local Plan.

We are also concerned that this development –

(a) provides no details on how this sensitive site will achieve this Local Plans' own Strategic Policy PB05 (Page 257) to achieve 20% Biodiversity Net Gain (BNG), (b) implies the loss of existing agricultural land and,

(c) has a history of flooding on to the busy Two Bridges Road below obstructing vehicular traffic which then has to take long diversions.

To conclude we strongly object to the development of this site.

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_01

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Land South West of Woolbrook Road (Sidm_01) – formerly 127 new homes – Now increased without prior discussion to 160 homes at the suggestion of the landowner in this latest draft Local Plan. We object to this proposal because – (i) There has been no prior discussion on this enlarged development site with another 33 new housing units compared to the original proposal. This enlarged site has been slipped into this latest version of the Local plan November 2025 without Consultation,

(ii) This site encroaches in to the National Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan that gives sites like this the ‘highest level of protection of land in the landscape and scenic beauty of the National Landscapes in East Devon’ like this property.

(iii) This proposal contradicts Policy SP06 of this new version of the Local Plan that requires new development to be within the existing settlement boundary unless expressly permitted by the Neighbourhood Plan. NB The settlement boundary has been recently extended out from Sidmouth without consultation.

We are also concerned that this development contains no Affordable Housing as required in this draft Local Plan.

Full name: Alistair Macdonald

Organisation (where relevant): Blue Fox Planning

Other party name (if relevant): Persimmon Homes South West

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_01

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This representation is submitted on behalf of Persimmon Homes South West (PHSW) in respect of the proposed allocation for circa 160 dwellings within the emerging plan on Land South West of Woolbrook Road. As such, this representation is relevant to the consideration of the site allocation under reference â€˜Strategic Policy SD06â€™ and allocation â€˜Land south-west of Woolbrook Road (Sidm_01)â€™.

2. PHSW are owners of the entire allocation site as indicated in the site location plan (A069155drgA01v1) at Annex A accompanying this representation. Persimmon has instructed a project team in order to bring the site forward for development as envisaged by the emerging Local Plan. This includes the following specialisms:

- Design/Master Planning
- Highways/Accessibility
- Drainage/Flood Risk Assessment
- Ecology

- Landscape and Visual Impact.

3. The preliminary work undertaken by PHSW has further confirmed that the site is appropriate and achievable for development and will deliver much needed new homes, including affordable homes. In addition, the site will also assist in delivering significant benefits and localised improvements for the wider area including in respect of enhancing sustainable travel modes and surface water flooding. The site is suitable and available for development and PHSW will be pursuing an application on the site later this year.

4. Accordingly, this representation is also relevant in the consideration of the emerging Local Plan's evidence base. Blue Fox Planning (BFP), on behalf of PHSW, submitted previous representations to the local plan process, specifically to the first Regulation 19 consultation in Spring 2025, which will be referred to as appropriate and should be read alongside this submission.

5. This representation addresses the following matters: i. The LPA's consultation response to the first Regulation 19 consultation, fails to establish the position of the authority on the matters raised, and does not provide clear reasoning or justification as to the changes made to the plan as a result of the comments. ii. PHSW continue to fully support the continued allocation of this site for residential development and welcomes the adjustment of the policy to refer to 'around 160 homes' to reflect the updated capacity of the site and afford flexibility.

6. This representation is submitted without prejudice both to any other submissions made on behalf of Persimmon Homes, and to any submissions made by Blue Fox Planning on behalf of other clients.

7. The LPAs response to the first Regulation 19 Consultation is contained in the separate 'First Regulation 19 Local Plan Consultation Responses and Feedback Report'; on the LPAs website. This is arranged in a chapter-by-chapter basis with the responses summarised within the 'Draft Feedback Report'.

8. The response from the LPA fails to establish the position of the authority on the matters raised and does not provide clear reasoning or opinion as to the changes made to the plan as a result of the comments. No clear justification is evidenced as to the reasoning for the changes proposed, or the omission of any updates. This will

be referenced as appropriate in the subsequent sections of this representation with regards to specific policies.

9. The soundness of the approach taken by the LPA is therefore questioned, as there is no clear reasoning or accountability for the response and matters taken forward to this second Regulation 19 consultation which should be clearly evidenced.

Strategic Policy SD06: Sidmouth and its development allocations Land south-west of Woolbrook Road (Sidm_01) 10. Previous representations to the Regulation 19 consultation, considered that the former allocation figure of 127 homes was too rigid to support sustainable development and support sustainable development. The figure also underestimated the site potential and capacity following the removal of employment uses on the site. 11. We support the change in policy wording to allocate the site at Woolbrook Road for ‘around 160 homes’. This change is supported to reflect the flexibility and updated capacity of the site so that the policy is not unnecessarily restrictive which would result in any resultant allocation and the broader plan not making the best use of the land. 12. We also note that additional text has been added referencing the Beer Quarry and Caves SAC, biodiversity and the need for the development to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes. These references are, again, supported by PHSW. 13. However, additional text is also proposed relating to the site’s location within the East Devon National Landscape. Whilst this is a statement of fact, the text states that the ‘development should be informed by detailed design work to conserve and enhance the natural beauty of the site and its wider landscape setting.’ 14. Whilst PHSW is fully committed to delivering a high-quality development which will conserve and enhance the natural beauty of its wider setting including in terms of the National Landscape, it must nevertheless be accepted that the site will be subject to built development. In that context, there is concern that the requirement to enhance the natural beauty of the site itself (as opposed to its wider setting) could be considered to be an unachievable and/or unrealistic bar to set.

Conclusion 35. Persimmon Homes South West (PHSW) continues to fully support the proposed allocation of allocation Sidm_01 ‘Land south-west of Woolbrook Road’ under Strategic Policy SD06. Specifically, PHSW welcomes and supports the adjustment of the policy to refer to ‘around 160 homes’ to reflect the updated capacity of the site as requested at the previous Regulation 19 consultation stage. 36. Notwithstanding the above, PHSW requests that the Council

give further consideration to the reference to the site within the National Landscape consistent with paragraphs 14 and 15 of these representations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: 15. PHSW therefore

request that the Authority clarifies its intentions for this wording and consider amending the text to read: 'development should be informed by detailed design work to conserve and enhance the natural beauty of (the site and) its wider landscape setting.'

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Persimmon is a national house builder and has vast experience in delivering new homes across the country. Persimmon also owns the Land south west of Woolbrook (Sidm_01) allocation which is intended to deliver the majority of new homes identified for the Town and it is therefore considered that Persimmon's participation at the Hearing Sessions would be useful for the appointed Inspector(s).

Full name: James Dunster

Organisation (where relevant): Clarke Willmott LLP

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The National Planning Policy Framework ("NPPF") provides guidance in relation to planning in National Landscapes ("NL"): Para 189 - "great weight should be given to conserving and enhancing landscape and scenic beauty in ... National Landscapes" Para 190 - "when considering applications for development within ... National Landscapes, permission should be refused for major development other than exceptional circumstances and where it can be demonstrated that the development is in the public interest." Sidm_06 was acknowledged as high landscape sensitivity to development. the site was split into two with 6b being rejected. However by including any part of Sidm_06 para 189 of NPPF is not engaged as 'great weight' clearly is not being given to enhancing the natural landscape. The Sid Valley Neighbourhood Plan was 'made' by the District Council on 30/10/2019. It thereafter formed part of the East Devon Development Plan. Policy 3 within the Neighbourhood Plan establishes a non-coalescence zone between Sidford and Sidmouth. The intention is to prevent development which impacts on the separation between Sidford and Sidmouth. Sidm_06a is within that zone and represents increased coalescence between Sidford and Sidmouth.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised

wording for the relevant policy or paragraph. Please be as precise as possible.:

Sidm_06a should be removed from the proposed plan. It plainly does not comply with statutory restriction on development in NL and the Neighbourhood Plan non-coalescence area.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The District Council site selection report makes it clear that site Sidm_06 (6a and 6b) is unsuitable for development due to significant impact on the landscape. No real justification has been advanced for the inclusion of part of a site considered so problematic. there is a high heritage impact particularly in relation to 6a which is adjacent to the Sidford Conservation Area. Overall insufficient consideration and justification is evidenced in relation to the inclusion of this site. The revised wording suggests that development should be informed by detailed assessment and design work to enhance the natural beauty of the site. With respect no development would achieve this and this appears to be lip-service at best.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Simply remove Sidm_06a from the allocation

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: n/a - duty to co-operate no longer relevant

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_34

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: See enclosed representations

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See enclosed representations

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See enclosed representations We note that the proposed spatial strategy is predominantly unchanged from that set out in the first Regulation 19 consultation draft, with the exception of the inclusion of the specific name for the proposed new community of Marcombe. We therefore continue to be supportive of the proposed spatial strategy in broad terms, and agree that there is a need to focus the spatial strategy on development at the most sustainable settlements in the district. However, as set out in our comments to draft policy SP02, we continue to consider that the most sustainable

villages are capable of playing a significant role within the spatial strategy, and indeed may need to play a more significant role given the likely need for the authority to revisit the proposed housing requirement and with it the need for an increase in the number of allocations. Linked to this, we continue to maintain that reference within the Draft Plan to an allowance for only “limited development to meet local needs at the Service Villages” should be carefully considered to ensure that the growth directed to those villages is proportionate. No changes have been made in this respect since our representations to the first Regulation 19 consultation draft. It remains the case that for a number of villages more than simply “limited” development is already proposed to be directed to those settlements. This is a matter we support. Development at the sustainable towns and villages is important to ensure the delivery of affordable housing for those locally who really need it, as well as supporting local shops and services. We continue to maintain therefore that the authority review the proposed use of the word “limited” for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See enclosed representations

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan. In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review, predominantly to support the emerging allocation for the Land west of Two Bridges Road, Sidford (Sidm_06a). We fully support the inclusion of SIDM_06a in the plan, and consider Sidford to be a suitable location for future growth and to accommodate a proportion of the required growth within the spatial strategy. The development of the site would provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in both Sidford and Sidmouth more widely. We have however raised objections to the proposed reduction in the scale of development within Policy SIDM_06a from 30 dwellings to 15 dwellings with no supporting justification. As part of this we have requested changes to the allocation text and also an amendment to the allocation boundary to reflect the extent outlined in the plan at Appendix 1. Outside of this draft allocation however, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF. Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification, and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method. We hope that these comments will be helpful

to inform the submission version of the Local Plan, but would be very happy to assist further with any queries relating to SIDM_06a, particularly any discussions relating to the proposed allocation text and boundary.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We full support the principle of the allocation of the Land west of Two Bridges Road, Sidford (Sidm_06a). The is well related to the existing settlement edge, lying adjacent to existing residential dwellings on Lower Brook Meadow and Brook Close. The land is generally flat, with trees located along the site boundaries along with hedgerow. Vehicular access can be achieved into the site via Two Bridges Road, although more direct pedestrian and cycle connections could be achieved via Lower Brook Meadow to the south. The site falls within the National Landscape, albeit the National Landscape washes over the whole of Sidmouth and the wider area. The site falls within flood zone 1 so is not at risk of flooding. It is considered to be entirely suitable for future development and is well located on the edge of the town. Development could also easily be delivered in a sensitive manner given the National Landscape designation. Sidford is also an entirely appropriate location to allocate additional land and direct a proportion of growth within the Council's wider spatial strategy, with good connectivity to local services and facilities in Sidford as well as more widely within Sidmouth. We consider that the development of this site will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the Sidford, and Sidmouth more generally.

However, in terms of the draft allocation itself, we note that changes have been made to the allocation text from the first Regulation 19 consultation.

We note the new draft wording reads: Land west of Two Bridges Road, Sidford (Sidm_06a) This land is allocated for development to the north of Sidford to accommodate around 3015 new homes. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. Development will need to play its part in supporting delivery of DCC's Sidbury - Sidmouth cycle route. The site is in the East Devon National Landscape and development should be informed by detailed assessment and design work to conserve and enhance the natural beauty of the site and its wider landscape setting. A new boundary hedge to the north-west of the site should be planted and maintained; The existing hedgerows should be retained where possible and a suitable scheme agreed and implemented to incorporate the existing spring into the development. It is not clear from reviewing the draft plan and supporting evidence base why the proposed scale of development has been reduced from 30 dwellings as part of the first Regulation 19 consultation to 15 dwellings as part of this second consultation. We can see that the 'Schedule of Changes made to the 2nd Reg. 19 Local Plan – CSD-0001b – November 2025' document confirms the reason for the change is "In response to additional landscape work undertaken". This is mentioned once within the supporting document and does not include any further explanation or context. Then looking at the supporting landscape evidence it is clear that the Council has published a Topic Paper titled 'Our outstanding landscape' (February 2025). This presents nothing in terms of supporting evidence to justify a reduction in the capacity of Site SIDM_06a. Additionally, whilst the Council published a 'East Devon and Blackdown Hills Landscape Character Assessment' which sits within the evidence base this is dated March 2019 and is therefore not up to date. Indeed, from a review of the supporting evidence base there is nothing new which justifies the Council's proposed reduction in the scale of development on the site from 30 dwellings to 15 dwellings. All of the relevant available evidence was available prior to the publication of the first regulation 19 consultation upon which the 30 homes proposed within SIDM_06a was based. In light of the fundamental issues with the soundness of the draft plan given the proposed housing requirement, as outlined in our response to Policy SP02, we are surprised that the Council is not proactively exploring the opportunity to maximise the use of this particular draft allocation. Rather than seeking to reduce the scale of development we consider opportunities to increase the scale of development on the site should be explored. As an absolute minimum, and in the absence of any evidence to support the proposed reduction in scale of development to only 15 homes, the draft policy should be amended to reinsert the previously proposed 30 homes. However, we consider there to be good reasons, given the significant pressure to boost housing

delivery, to explore an increase in both the scale of development and extent of the allocation boundary for this site. Our view is that the allocation boundary could be extended from the boundary as drawn for SIDM_06a into part of the area falling within SIDM_06b which had previously been assessed by the Council and rejected. The plan attached at Appendix 1, outlines what we consider to be a sensible and logical allocation boundary for SIDM_06a. This would follow the existing hedgerows from north to south and would avoid the need for the planting of new hedgerows as included in the amended policy text. Such development within this extended allocation boundary could still easily be sensitively designed given the National Landscape designation. But the opportunity exists to deliver a small increase in the scale of development on the site which would still be read in context against the backdrop of the existing settlement edge. The increase would also help to deliver an important increase in the number of affordable homes on the site given the ongoing substantial local need. In addition, the importance of the delivery of the first phase of the Sidford to Sidbury cycle route could be better supported by the development of this site if increasing the allocation boundary. As drawn, SIDM_06a excludes the first section of the cycle route, but extending the allocation boundary as suggested in Appendix 1 would help to ensure the first section of the cycle route is designed and delivered in connection with this site, which would be a much better placemaking solution. Overall, whilst we fully support the principle of allocation SIDM_06a and consider it to be ideally located to deliver both market and affordable housing as required by the draft plan, we object to the proposed reduction in the number of homes within the allocation. Instead, we consider the scale and extent of the allocation should be amended, and therefore request the draft text is amended as follows: Land west of Two Bridges Road, Sidford (Sidm_06a) This land is allocated for development to the north of Sidford to accommodate around [30](15) new homes. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. Development will need to play its part in supporting delivery of DCC's Sidbury - Sidmouth cycle route. The site is in the East Devon National Landscape and development should be informed by detailed assessment and design work to conserve and enhance the natural beauty of the site and its wider landscape setting. (A new boundary hedge to the north-west of the site should be planted and maintained;) The existing hedgerows should be retained where possible and a suitable scheme agreed and implemented to incorporate the existing spring into the development. The above amended text should sit alongside an amendment to the allocation boundary as suggested in Appendix 1.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Andrew Ross

Organisation (where relevant): Turley

Other party name (if relevant): Bloor Homes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_02, Sidm_35

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: As set out in representations made at the 1st Regulation 19 stage (and notwithstanding changes made in the 2nd consultation version), it is not clear that the status and potential for development at Sidmouth (confirmed by its status as a Main Centre in the Spatial Strategy at Policy SP01) has been reflected in the policies and allocations in the plan, especially where other lower tier settlements continue to be proposed for higher levels of development. The proposed delivery of housing at Sidmouth over the plan period will unlikely be sufficient to meet local needs, and is not a proportionate response to the role and function of Sidmouth as a key main centre. This issue is compounded by the reduced level of housing provision which is being made by the plan overall, which is below the local housing needs set by national government policy. Land to the North of the Town at Sidford High Street (comprising LP_Sidm_02 and LP_Sidm_35) remains available for development, and the basis for the exclusion of this site, is not clear, on the basis that it is an otherwise suitable and deliverable site, and offers the opportunity for significant new strategic open space (as a public park), which would be an asset to the town and which would help to mitigate impacts that might otherwise occur in respect of the landscape in this area. In respect of the proposed allocation at Woolbrook Road (Sidm_01) it is not clear what evidence supports the increase in capacity at this site from 127 to 160 homes, when it is necessary for the site to provide an appropriate contextual design response and meet policy requirements for (amongst other things) biodiversity net gain.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To elaborate on issues raised and respond as appropriate during hearings.

Full name: Teresa Baldwin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: > My comments here refer to land in Sidford ie. land 6A which is included in the second regulation 19 for house > allocation and I include my concerns for the possibility of future allocation of 6B. This site is unsound and not legally compliant with national protection for National Landscapes.

I outline my reasons below and formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan.

> East Devon deem this land to be a 'green wedge' so building here would not adhere to the council's own policy or the National Landscape policy.

> You state in your site selection report that the 'overall landscape susceptibility is high', that 'landscape harm is likely', 'that ecologically significant moderate adverse effect is predicted' and 'steep slopes are likely to require significant earthworks'. These are very negative reviews and illustrate that any development on this land is going to impact biodiversity, wildlife corridors, hedgerows, the 'dark sky' (observatory close by) and increase the risk of flooding. > The local infrastructure is not suitable to support such a proposal; services would be compromised, the increase in traffic will create congestion and reduce safety. > There is already a large area of land north/east of this site across Two Bridges road, only a road width separates them; that land is also proposed for

housing. Sidford and Sidbury are two small villages which should retain the ‘green wedge’ between them. > The historic environment site assessment concludes that ‘significant effect is predicted; the cultural heritage would be compromised and unable to be resolved through mitigation’.

I understand that the Council have not yet exhausted all urban regeneration opportunities or lower quality ‘grey belt’ sites. Development on the site proposed would conflict with the Council’s commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. I ask that you adhere to your own policies. I strongly object to these sites going into the 2020-2042 Local Plan.

I have been assured by staff in the planning dept. at Blackdown House that my comments within this email, if sent prior to the closing deadline at 12midday on 26.1.26, will be included in the final draft of the Local Plan and duly submitted to the Planning Inspector for independent examination.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan.

Full name: Guy Bennett

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear sirs,

Please find my objection below in relation to the consultation meeting Monday 26th January.

Please can this be added to commonplace in readiness.

I object to the proposed development at Site 6a, Sidford, on the grounds that the site lies within a sensitive Green Belt area and is wholly unsuitable for further development. The location is already at risk of flooding, and the road between Sidford and Sidbury regularly floods and becomes impassable. The introduction of additional hard surfacing would significantly increase surface water run-off, thereby exacerbating flood risk to neighbouring properties, local infrastructure, and the surrounding highway network. The proposal would also result in increased traffic movements along local roads that are narrow, heavily used, and poorly suited to accommodate additional vehicular access. In particular, the traffic lights at Sidford Cross are already heavily congested, with regular queuing at peak times, and additional traffic generated by the development would worsen congestion, increase delays, and heighten risks to highway safety and pedestrians. Furthermore, the application site is adjacent to Sidbury Castle, an ancient and historically significant landmark. The site lies within a protected view of Sidbury

Castle, and the proposed development would harm this important view, as well as the setting, character, and heritage value of the monument. The cumulative impacts of increased flood risk, additional traffic generation, loss of Green Belt land, harm to a protected landscape view, and damage to the historic environment are contrary to both local and national planning policies. The application should therefore be refused.

Kind regards

*** Personal details have been removed ***

Full name: Natalie Bentall

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear *** Personal details have been removed ***, I am a resident of Lower Brook Meadow and am writing to express my strong objection to the allocation of Sidmouth site 6a for allocation of the development of 15 houses in the local plan, for the following reasons: 1: Ignoring the green wedge policy. This site is protected as a green wedge site to prevent the coalescence of Sidbury and Sidford and to protect the individual identity of both villages. The fact that this site is being considered, despite its green wedge protection, will set a precedent. Once development is allowed on this green wedge site, it will be impossible to prevent other green wedge sites such as site 6b from being developed. The physical gap between Sidford and Sidbury would be eroded.

2: The destruction of the National Landscape (AONB). Again, the precedent of allocating this site leading to future site developments, would negatively impact the National Landscape and would cause irreversible harm.

3: Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. 4: Previous ruling that the site was unsuitable The fact that site 6 was considered previously unsuitable and has now been divided into 2 separate sites in order to allow for some development is very concerning. Will this site

be sold as two separate sites? If it is sold as one site, it would not be in the interest of any developer to build only 15 houses. I therefore feel that this is simply a back door entry to the development of site 6b of 238 further houses, again violating green wedge policy and causing significant irreversible harm.

5: Local heritage impact. This site lies within close proximity to Sidbury Castle which is a scheduled monument protected by Heritage England and would impact the views from the castle.

Thank you very much for agreeing to put forward my objection to the commonplace platform by close of consultation Monday 26th January, as per your email to ***
Personal details have been removed ***, Sid Vale Association.

Kind regards,

Full name: Carol Carless

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06A

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: included in the second regulation 19 for house allocation and I include my concerns for the possibility of future allocation of 6B. This site is unsound and not legally compliant with national protection for National Landscapes.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I outline my reasons below and formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan.

> East Devon deem this land to be a 'green wedge' so building here would not adhere to the council's own policy or the National Landscape policy.

> You state in your site selection report that the 'overall landscape susceptibility is high', that 'landscape harm is likely', 'that ecologically significant moderate adverse effect is predicted' and 'steep slopes are likely to require significant earthworks'. These are very negative reviews and illustrate that any development on this land is going to impact biodiversity, wildlife corridors, hedgerows, the 'dark sky' (observatory close by) and increase the risk of flooding.

> The local infrastructure is not suitable to support such a proposal; services would be compromised, the increase in traffic will create congestion and reduce safety.

> There is already a large area of land north/east of this site across Two Bridges road, only a road width separates them; that land is also proposed for housing. Sidford and Sidbury are two small villages which should retain the 'green wedge' between them.

> The historic environment site assessment concludes that 'significant effect is predicted; the cultural heritage would be compromised and unable to be resolved through mitigation'.

I understand that the Council have not yet exhausted all urban regeneration opportunities or lower quality 'grey belt' sites. Development on the site proposed would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. I ask that you adhere to your own policies.

I strongly object to these sites going into the 2020-2042 Local Plan.

Full name: Christine Chapman Raymond Chapman

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I have just been made aware that a green area 6a (and potentially later 6b) is proposed as part of the East Devon local plan for a housing development under Section 19. I live in Higher Brook Meadow, Sidford and am concerned at how this is being slipped in under the radar. Had neighbours in Lower Brook Meadow not mentioned it, I would have missed it, even if I'd tried to read the local plan. Local neighbours have struggled to use the online platform Commonplace to put forward objections as it is extremely difficult to navigate and identify the areas they wish to discuss. This feels undemocratic and should be addressed properly in future.

My objections to the plan are

1. This area has insufficient infrastructure for a large increase in village population. There is already another housing site (previously approved as an industrial site) on the opposite side of the main road at the edge of the village. Marlcombe was planned to absorb most of the housing need.

2. The impact on our local community would be significant:

-Our local doctors surgery already struggles to provide appointments for the current population.

-We only have one local secondary school.

-Extra traffic will caused considerable increase in danger for pedestrians as well as drivers in the village. This is always worst during tourist season.

3. EDDC would be failing to adhere to obligations towards environment. Their Marlcombe strategy is of not bolting on development to smaller communities particularly in sensitive locations. This is not a brownfield site and it should be considered only after all other brown/grey options have been ruled out.

The Green Wedge policy is to prevent the loss of individual community identity, such as between Sidford and Sidbury and avoid urban sprawl.

The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: For these reasons we both object to the inclusion of 6a and 6b as part of regulation 19.

Full name: Mr Neill Chippett

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: With reference to Land Sidm_31 East of Burscombe Lane/West of Windsor Mead Sidmouth. Herewith my objections to the proposed site.

1) Dangerous inappropriate access from Windsor Mead or Burscombe Lane. Burscombe lane too narrow for Highways pavement access. Potential higher risk to predominately elderly residents on foot from higher vehicle volume. Blindspot at junction to main road. Windsor Mead, Steep access junction to main road. Route from junction to Land Sidm_31, Ridiculous ! Where is the access without purchasing a residents garden ?

2)Untold stress and worry for predominately retired elderly residents of Corefields, Windsor Mead and Burscombe Lane.

3) Loss of privacy/ Being overlooked for existing properties in Burscombe Lane and Corefields.

4) Harming tourism in the area. Burscombe Lane is the starting or finishing point for many walks. Potentially putting a proposed development at site 31 is not something that nature enthusiasts, Hikers, Visitors will want to see. The whole point of this lane is

to provide access to the Farm etc and to provide a doorway to the unspoilt beautiful peaceful countryside.

Full name: Hilary Dunster

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Dear *** Personal details have been removed ***. I would like our opposition to the proposed house building in Sidford to be noted in commonplace We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the

public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ? Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations. Also would like to add that the flood risk to this area from hard landscaping would in crease an already bad area that floods at the point where the 'estate' would come onto the main road. As well as the increased stress on the local services and road use . Yours *** Personal details have been removed ***. Sent from my iPhone

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear *** Personal details have been removed ***. I would like our opposition to the proposed house building in Sidford to be noted in commonplace We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlbcombe as the primary vehicle for meeting the

district's housing targets. ? Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations. Also would like to add that the flood risk to this area from hard landscaping would in crease an already bad area that floods at the point where the 'estate' would come onto the main road. As well as the increased stress on the local services and road use . Yours *** Personal details have been removed ***. Sent from my iPhone

Full name: Stephen Dymond

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We would like to object to the above planning proposal on the grounds of accessibility.

1) Windsor Mead was never designed as a through road.

2) The properties in Windsor Mead were bought on a cul de sac. There is no facility for a through road to the proposed development East of Burscombe Lane.

3) Burscombe Lane is not suitable for access to the proposed development. Coming from Sidford High Street and after the Corefields turning, Burscombe Lane becomes a single lane without pavement. This lane is not suitable for the increase in traffic that a new development would produce.

4) Also the access from Burscombe Lane onto Sidford Hig Street has poor visibility from both directions. This would only be exacerbated by the inevitable increase in traffic flow.

Full name: Mr Richard J Goodier

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In respect of Sidm_31, the Second Draft states: "It is expected that access for all road users would be off Windsor Mead." I own the land between Windsor Mead and the proposed development site. I have had no contact with either the council nor the developer as to how they intend to access the development through my land. Any request for access or purchase would be refused.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Delete the sentence detailed above. Access would have to be via Burscombe Lane which is also problematic for reasons clearly stated in the existing planning application.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See answer to 2(b) above.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See answer to 2(c) above.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See answer to 2(b) above.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The current proposal necessitates a road going through my land.

Full name: Mr & Mrs Guck

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

Full name: Mr & Mrs Guck

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I oppose this development completely there is not the •No infrastructure to cope with this amount of housing.

- There is no pavements in that area.
- The flood risk.
- agricultural land

Full name: Samantha Guck

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_01

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

?1. Impact on National Landscape (formerly AONB) ?The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. • ?Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. • ?Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing. ?2. Violation of Green Wedge Policy ?This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. • ?Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. • ?Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: ?3.

Failure to Prioritize Sustainable Alternatives ?The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets. • ?Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. • ?Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes. ?4. Environmental and Infrastructure Constraints • ?Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. • ?Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. • Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village."

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Conclusion ?For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am a resident of Sidmouth I am concerned about any development in our town

Full name: Bob Harvey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Please add this to commonplace. Thank you We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. ? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence

of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ? Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please add this to commonplace. Thank you We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. ? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ? Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently

allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

Full name: Ian Hornby

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I object to the planning application for the field which is described as “Land East of Burscombe lane / West of Windsor Mead Sidmouth_31.” For the following reasons:

Aside from the decidedly problematical access and water runoff issues which I am sure others have mentioned in detail (water runoff does affect my garden at present - sometimes free running along the path at the side of the bungalow in winter), the site is within an area of National Landscape. Beacon Hill local nature reserve with its dartford warblers and nightjars is less than a mile away - ground nesting birds like the nightjar are particularly sensitive to disturbance by cats and dogs.

Another thought is that this location is not particularly suitable for the social housing mandated in the Neighbourhood plan - it is some distance from most of the employment opportunities in Sidmouth.

Full name: James Hutchings

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to lodge my objections to the two proposed housing developments East Devon Local Plan Sidm 06a and Sidm 06b. I consider that these plans would irreversibly destroy an area of outstanding national beauty (National Landscape) and have devastating impact on the wildlife and nature therein. A poor legacy to leave the next generation and also destroying the very thing which attracts people to the area either as visitors or to re-settle. I also believe that the development would erode the Green Wedge Policy and that the distinctive districts of Sidford and Sidbury would be lost within a larger urban sprawl of housing. The picturesque nature of East Devon and it's rural villages would be lost. I do not consider that the local infrastructure within the northern Sid Valley could cope with the dramatic increase in housing and population that the development would create. I feel that all local brown field sites should be prioritised before any reversion to building development in open countryside. Also I cannot accept that the Sid Valley needs large housing developments when there are numerous large new town projects in planning for East Devon (Farringdon and Budleigh Salterton) not to mention on-going development at Cranbrook. Please make note of my objection as a matter of urgency.

Yours

*** Personal details have been removed ***

Full name: Andrew Inglis

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: My concerns and objections:-

1 I have found out about this development I believe it is known as Sidm 06a and Sidb 06b today from a neighbour.

- I can find no reference on the ED planning website

- I can find no search facility of the ED planning website

- you have not used your APP to inform residents

- you have used no other discernible method to inform residents

- your website under 'second regulation 19' and 'commonplace' offers an option to comment or object but only if you can correctly identify the particular planning decision, which I couldn't.

- I have found no reference to this in the local newspaper (which I don't take)

2 Putting all the points together in 1 it is clear that there has been a deliberate attempt to 'under publicise' or hide this proposal. This is at best deceiving. I am a computer literate and able communicator. If I can't find it - it ISN'T well enough publicised.

3 My other objections are obvious to all but the blind or those with an entirely different agenda. a It is a major development in a protected landscape (especially when allied to the other 238 houses proposed) These should be mandatorily refused except in exceptional circumstances. b The development will degrade the character of a protected area c It violates the GREEN WEDGE policy d it erodes the gap between Sidford and Sidbury e It sets precedent making other defences impossible f It directly contradicts the Marlcombe strategy g It ignores 'Brownfield First' h It is environmentally ridiculous I It is detrimental to local heritage j J must stand for JOKE - there is NO INFRASTRUCTURE to cope. Doctors, Dentists, Roads etc etc. You cannot as an authority meet your obligations now.

In conclusion it is UNSOUND and NOT LEGALLY COMPLIANT.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: My concerns and objections:-

1 I have found out about this development I believe it is known as Sidm 06a and Sidb 06b today from a neighbour.

- I can find no reference on the ED planning website
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- you have not used your APP to inform residents
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- I have found no reference to this in the local newspaper (which I don't take)

2 Putting all the points together in 1 it is clear that there has been a deliberate attempt to 'under publicise' or hide this proposal. This is at best deceiving. I am a computer literate and able communicator. If I can't find it - it ISN'T well enough publicised.

3 My other objections are obvious to all but the blind or those with an entirely different agenda. a It is a major development in a protected landscape (especially when allied to the other 238 houses proposed) These should be mandatorily refused except in exceptional circumstances. b The development will degrade the character of a protected area c It violates the GREEN WEDGE policy d it erodes the gap between Sidford and Sidbury e It sets precedent making other defences impossible f It directly contradicts the Marlcombe strategy g It ignores 'Brownfield First' h It is environmentally ridiculous I It is detrimental to local heritage j J must stand for JOKE - there is NO INFRASTRUCTURE to cope. Doctors, Dentists, Roads etc etc. You cannot as an authority meet your obligations now.

In conclusion it is UNSOUND and NOT LEGALLY COMPLIANT.

Full name: Donna Johnston

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: To whom it may concern I have just been made aware re developments in sidford that the land 6a is up for the regulation 19 (second stage) and this email is in relation to opposing this. As residents we are very concerned about the green wedge policy and the national landscape policy being over ridden for the development of this site to be allocated.

Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street

lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ? Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I would like my objection to be added to commonplace.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

To whom it may concern I have just been made aware re developments in Sidford that the land 6a is up for the regulation 19 (second stage) and this email is in relation to opposing this. As residents we are very concerned about the green wedge policy and the national landscape policy being over ridden for the development of this site to be allocated.

Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlcumbe as the primary vehicle for meeting the district's housing targets. ? Marlcumbe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on"

unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I would like my objection to be added to commonplace.

Full name: Trist Jones

Other party name (if relevant): NO

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sid_06a, Sid_06b

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have selected No re q. 2 above (there is no option to select Dont Know thus a 50:50).

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This is a general comment re the proposed development re Sid_06a and Sid_06b (apologies if this is input into the wrong place - made aware of this plan very late on and cannot see a general comment section): First and foremost, the existing land protections must be fully respected and adhered to; otherwise one has to ask why those protections were introduced in the first place if they can simply be set aside when it becomes inconvenient. If, despite those protections, housing is eventually allowed – which many with a cynical slant, might perceive to be the case in the planning process – then any such permission should at least be used to help those least able to get new homes, such as first-time buyers, younger generations, and lower-income households/people. In that situation, there should be clear clauses requiring a definite percentage of the new housing to be targeted at these groups, with the clear expectation that the majority of new homes are directed towards helping them onto the housing ladder, and with mechanisms to ensure that these commitments cannot easily be watered down later. If

arguments nevertheless override existing protections and ultimately “win” in the end, then the very least that should be done, as an act of decency and genuine multi-lateral decision-making, is to dramatically reduce the volume of housing permitted on any such land, so that impacts on already-stretched local roads, public transport, schools, health services and other infrastructure are kept to an absolute minimum and not treated as an afterthought. Finally, where land is subject to specific landscape, environmental or planning designations, and where additional strain would be placed on local transport and community infrastructure, any move to set these aside should be tested carefully against the relevant legal and policy framework and fully explained. Local people are entitled to know on what legal basis existing protections are being overridden, how impacts on infrastructure will be addressed in practice, and how their associated rights and the council’s statutory duties have been taken into account.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This is a general comment re the proposed development re Sid_06a and Sid_06b (apologies if this is input into the wrong place - made aware of this plan very late on and cannot see a general comment section): First and foremost, the existing land protections must be fully respected and adhered to; otherwise one has to ask why those protections were introduced in the first place if they can simply be set aside when it becomes inconvenient. If, despite those protections, housing is eventually allowed – which many with a cynical slant, might perceive to be the case in the planning process – then any such permission should at least be used to help those least able to get new homes, such as first-time buyers, younger generations, and lower-income households/people. In that situation, there should be clear clauses requiring a definite percentage of the new housing to be targeted at these groups, with the clear expectation that the majority of new homes are directed towards helping them onto the housing ladder, and with mechanisms to ensure that these commitments cannot easily be watered down later. If arguments nevertheless override existing protections and ultimately “win” in the end, then the very least that should be done, as an act of decency and genuine multi-lateral decision-making, is to dramatically reduce the volume of housing permitted on any such land, so that impacts on already-stretched local roads, public transport, schools, health services and other infrastructure are kept to an absolute minimum and not treated as an afterthought. Finally, where land is subject to specific landscape, environmental or planning designations, and where additional strain would be placed on local transport and community infrastructure, any move to set these aside should be tested carefully against the relevant legal and policy framework and fully explained. Local people are entitled to know on what legal basis existing protections are being

overridden, how impacts on infrastructure will be addressed in practice, and how their associated rights and the council's statutory duties have been taken into account.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

This is a general comment re the proposed development re Sid_06a and Sid_06b (apologies if this is input into the wrong place - made aware of this plan very late on and cannot see a general comment section): First and foremost, the existing land protections must be fully respected and adhered to; otherwise one has to ask why those protections were introduced in the first place if they can simply be set aside when it becomes inconvenient. If, despite those protections, housing is eventually allowed – which many with a cynical slant, might perceive to be the case in the planning process – then any such permission should at least be used to help those least able to get new homes, such as first-time buyers, younger generations, and lower-income households/people. In that situation, there should be clear clauses requiring a definite percentage of the new housing to be targeted at these groups, with the clear expectation that the majority of new homes are directed towards helping them onto the housing ladder, and with mechanisms to ensure that these commitments cannot easily be watered down later. If arguments nevertheless override existing protections and ultimately “win” in the end, then the very least that should be done, as an act of decency and genuine multi-lateral decision-making, is to dramatically reduce the volume of housing permitted on any such land, so that impacts on already-stretched local roads, public transport, schools, health services and other infrastructure are kept to an absolute minimum and not treated as an afterthought. Finally, where land is subject to specific landscape, environmental or planning designations, and where additional strain would be placed on local transport and community infrastructure, any move to set these aside should be tested carefully against the relevant legal and policy framework and fully explained. Local people are entitled to know on what legal basis existing protections are being overridden, how impacts on infrastructure will be addressed in practice, and how their associated rights and the council's statutory duties have been taken into account.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: This is a general comment re the proposed development re Sid_06a and Sid_06b (apologies if this is input into the wrong place - made aware of this

plan very late on and cannot see a general comment section): First and foremost, the existing land protections must be fully respected and adhered to; otherwise one has to ask why those protections were introduced in the first place if they can simply be set aside when it becomes inconvenient. If, despite those protections, housing is eventually allowed – which many with a cynical slant, might perceive to be the case in the planning process – then any such permission should at least be used to help those least able to get new homes, such as first-time buyers, younger generations, and lower-income households/people. In that situation, there should be clear clauses requiring a definite percentage of the new housing to be targeted at these groups, with the clear expectation that the majority of new homes are directed towards helping them onto the housing ladder, and with mechanisms to ensure that these commitments cannot easily be watered down later. If arguments nevertheless override existing protections and ultimately “win” in the end, then the very least that should be done, as an act of decency and genuine multi-lateral decision-making, is to dramatically reduce the volume of housing permitted on any such land, so that impacts on already-stretched local roads, public transport, schools, health services and other infrastructure are kept to an absolute minimum and not treated as an afterthought. Finally, where land is subject to specific landscape, environmental or planning designations, and where additional strain would be placed on local transport and community infrastructure, any move to set these aside should be tested carefully against the relevant legal and policy framework and fully explained. Local people are entitled to know on what legal basis existing protections are being overridden, how impacts on infrastructure will be addressed in practice, and how their associated rights and the council’s statutory duties have been taken into account.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Professor Julie Kent & Mr Michael Kent

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It is extremely disappointing that the second draft of the Local Plan still includes a proposal that the site Sidmouth_31 be used for housing development when it is clearly unsuitable.

As previously indicated there are significant reasons why this site should be removed from the plan relating to access issues, its position within the National Landscape (AONB), environmental impacts and increased risks of flooding in the area.

Access: In the plan it is proposed that access be via Windsor Mead - a small cul-de-sac adjacent to the site but where property, privately owned by a number of third parties prohibits access. Compulsory purchase orders would be necessary to secure access in this easterly direction which encroaches on local residents existing property rights and disturbs the road layout of the cul de sac. Furthermore exit from Windsor Mead onto the High Street (A3052) has poor visibility which increases risk of traffic collisions. The proposal for access in the Plan therefore is incoherent and unjustified. Any suggestion that the site might be accessed from the westerly edge also presents significant problems that have been raised previously - as Burscombe Lane is a single track lane with a very reduced width, poor pedestrian facilities and very limited visibility with the junction to the A3052.

National Landscape: The site sits in the National Landscape and is prominent from many directions especially the National Trust area of Salcombe Hill and Trow Hill. Any development here significantly extends the built area, potentially creates a more urban edge and built environment in a rural setting that is known for its attractions within the Sid Valley. On rising land towards Core Hill the site is within a green landscape that is a popular amenity for local residents for walking and other recreation. Since 2023 local authorities are expected to actively conserve and enhance the National Landscape.

Environmental degradation: Building on this site would without doubt cause environmental degradation - the removal of ancient hedges, extensive and significant excavation and removal of established habitats and flora. While mitigation measures may be proposed by any developer they cannot by definition replace like for like. New plantings or soil replacement will simply not be equivalent. A wide range of species have been documented in the area including bats and great crested newts that will without question be disrupted or destroyed by development.

Flood risk: There is a real danger that development on this site and increasing the housing density, hard surfacing and excavation could impact surface water drainage and cause flooding. Existing management of the water flows is weak as flooding occurs in Burscombe Lane (west), along the public footpath (north). Storm drains the east and south are old and unsuited for further development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We urge you to withdraw this site from the Local Plan.

Full name: Charles King

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

From:

*** Personal details have been removed ***

To: East Devon Planning

21st January 2026

Dear Sirs,

I write to object to the above Planning Application and its inclusion in the Local Plan (2013-2031)

The application applies to a piece of land just above the house line at the top of Sidmouth. The field is categorized as AONB (now National Landscape) and previous applications for development on this field have been refused on at least two occasions

for that reason. The most recent application was also refused because of inadequate access through Burscombe Lane.

Up until 2023, EDDC had a duty to “have regard to” to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. This wording has been now been changed from “have regard to” to “seek to further” the purpose....

I fail to see any evidence that EDDC are taking any proactive steps to seek to further and positively conserve or enhance the special qualities of the National Landscape in proposing that this field be included in the Local Plan, having been rejected previously.

The site selection did not follow any logical process. It had already been refused previously and was not included in the local plan of 2024. There is no paper trail as to why it has been included in this version of the Local Plan, although it is clear that the pressure on EDDC to increase house-building capacity may have led to some hasty inclusions that cannot be justified.

The development site can be clearly seen from the main road into Sidmouth from the East.

Access to the site is clearly problematic and although the developer plans include access through Burscombe Lane, the Local Plan indicates a preferred access through Windsor Mead, which would require compulsory Purchase Orders on at least two private properties. There is therefore no clear access proposal.

Yours sincerely,

*** Personal details have been removed ***

Full name: Caroline Munday

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

1. Impact on National Landscape (formerly AONB) ?The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. I am extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. ?Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ?Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing. 2. Violation of Green Wedge Policy ?This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ?Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ?Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b. 3. No evidence of this planning or area offered up for planning was disclosed by either the council or seller of Brook Farm during the purchasing process (purchased in July 2022). Solicitors are now aware. Brook Farm is a Grade 2 listed building and an

important historical asset as referenced on page 137 of the site selection report. 4. Lastly I am concerned that the extension of the settlement boundary of Sidmouth was extended to include site 6.a without sufficient consultation to meet EDDC policy compliance requirements.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To remove 6.a and 6.b permanently as part of the Development in the Towns and Villages chapter.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Failure to Prioritize Sustainable Alternatives ?The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ?Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ?Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes. ? 2. Environmental and Infrastructure Constraints ?Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ?Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Living next to the field in question as custodians of part of this countryside and being an observer to the amount of Bio Diversity that this area has; bats, a large variety of Birds of Prey (sparrowhawks, buzzards, kestrels), many species of bird (some less common like the Willow Tit, butterflies (some rare), voles, field mice, to merely name a few. Any building on this land would be detrimental to this beautiful green space that is enjoyed by many who use the public footpath and use this space as an area of well-being and leisure. This is also an area that is used by local residents who

do not have the luxury of having gardens. A change to this environment would have a negative impact on a space that is widely used by the community. There are significant flooding issues in this area in addition to all the points raised above that already affect the areas around Brook Lane, Lower Brook Meadow, Brook Farm and Two Bridges. Video files of biodiversity are too large to attach.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To remove 6.a and 6.b permanently as part of the Development in the Towns and Villages chapter.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. I formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations. There has been a complete lack of transparency around the possible development of this land.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I consider that the voice of Sidford residents needs appropriate representation in this decision making process.

Full name: Richard Munday

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: N/A

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: 1) Impact on National Landscape (formerly AONB): The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. I am extremely concerned that once this site is approved, this sets the precedent for others such as 6B to follow with further development into AONB protected areas. 2) Violation of Green Wedge Policy: This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. • Settlement Identity: Development here would erode the physical and visual gap between Sidford and Sidbury, leading to urban sprawl. • Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised

wording for the relevant policy or paragraph. Please be as precise as possible.: I

don't believe that this proposal can be made legally compliant and should be permanently removed from the list of preferred sites.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

N/A

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: 1)

Failure to Prioritize Sustainable Alternatives: The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets. • Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. • Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes. 2. Environmental and Infrastructure Constraints • Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. • Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. • Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village."

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I don't believe that this proposal can be made sound nor legally compliant and should be permanently removed from the list of preferred sites.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: N/A

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: This site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: This site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

Full name: Julie Pepper

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

would like to strongly object to the proposal for land 6a and the future 6b. As an academic with a research interest in environmental regulation as well as a homeowner I am concerned about the Green Wedge Policy and the National Landscape Policy being over ridden.

Full name: Nick Pepper

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Good Evening

As a resident and homeowner (4 Higher Brook Meadow) I would like to formally lodge my objection to the proposal for development land 6a and the future 6b under the Second Regulation 19.

The reasons for objection are extensive and summarized well below. Additionally the lack of transparency with local residents on these proposals is also a concern.

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. I am concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development potential of 238 houses. o Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. o Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will

permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy

This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. Settlement Identity: Development here would erode the physical and visual gap between Sidford and Sidbury, leading to urban sprawl. Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

Full name: Amanda Peters

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: My comments here refer to land in Sidford ie. land 6A which is included in the second regulation 19 for house allocation and I include my concerns for the possibility of future allocation of 6B. This site is unsound and not legally compliant with national protection for National Landscapes.

I outline my reasons below and formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan.

East Devon deem this land to be a 'green wedge' so building here would not adhere to the council's own policy or the National Landscape policy.

You state in your site selection report that the ‘overall landscape susceptibility is high’, that ‘landscape harm is likely’, ‘that ecologically significant moderate adverse effect is predicted’ and ‘steep slopes are likely to require significant earthworks’. These are very negative reviews and illustrate that any development on this land is going to impact biodiversity, wildlife corridors, hedgerows, the ‘dark sky’ (observatory close by) and increase the risk of flooding. The local infrastructure is not suitable to support such a proposal; services would be compromised, the increase in traffic will create congestion and reduce safety. There is already a large area of land north/east of this site across Two Bridges road, only a road width separates them; that land is also proposed for housing. Sidford and Sidbury are two small villages which should retain the ‘green wedge’ between them. The historic environment site assessment concludes that ‘significant effect is predicted; the cultural heritage would be compromised and unable to be resolved through mitigation’.

I understand that the Council have not yet exhausted all urban regeneration opportunities or lower quality ‘grey belt’ sites. Development on the site proposed would conflict with the Council’s commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. I ask that you adhere to your own policies. I strongly object to these sites going into the 2020-2042 Local Plan.

I have been assured by staff in the planning dept. at Blackdown House that my comments within this email, if sent prior to the closing deadline at 12midday on 26.1.26, will be included in the final draft of the Local Plan and duly submitted to the Planning Inspector for independent examination.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan

Full name: Liz Lees

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing. 2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of

any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Site 6 was previously rejected. Part of this site, now called 6a, has been reinstated without public consultation.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlcumbe as the primary vehicle for meeting the district's housing targets. Marlcumbe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Brownfield First:

National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes. 4. Environmental and Infrastructure Constraints Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England, Brook Farm Grade II listed farmhouse, Sidford Conservation Area and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Site 6 was previously rejected. Part of this site, now called 6a, has been reinstated without public consultation.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: As a member of SVA Planning Team and also a member of a local Sidford residents group.

Full name: Sheila Christina Maycock

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

1. Any reference to direct access to the site via Burscombe Lane, which currently has a field gate immediately from the road to the site, has been removed in this version of the plan, following challenge from Burscombe Lane residents to the Highway access. Windsor Mead would experience similar Highways issues in relation to access & egress to the A 3052. 2. The plan now states that 'it is expected that access for all road users would be off Windsor Mead'. I do not see how this is possible, given that there is currently no way through from Windsor Mead to the site. The intervening land between the end of Windsor Mead and the site is in private ownership.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove site Sidm_31 from the plan

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: see 2b above

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: see 2c above

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: see 2b above

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jo Rowbotham

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am writing to express my serious concern regarding the proposed development on the green wedge between Sidbury and Sidford. This area is a vital part of the local environment and character of these villages. Building here would cause irreversible damage to the natural landscape and detract from the green tourism for which East Devon is rightly renowned. The preservation of such green spaces is essential not only for wildlife but also for the wellbeing of our communities and visitors. Furthermore, the current infrastructure is inadequate to support a large influx of new homes. There are already significant challenges, including insufficient school places, increased flood risk, and heavily congested roads. These issues make the proposal untenable without substantial and costly improvements. I understand that East Devon Council has targets to meet for new housing, but I believe that every option should be looked at to avoid compromising precious green spaces that contribute so much to the character and economy of our district. Thank you for considering my concerns. I urge the Council to carefully weigh the environmental and infrastructural impacts before proceeding with this proposal.

Full name: lisa Rutter

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please could this objection be placed on common place. I only have a phone and therefore finding it difficult to use the website. This objection is to housing development on Sidmouth 6a and any future plans to development on 6b - Land west of Two Bridges road - Sidford.

I strongly object to the above being included in the local plan and should note that to include the area is contradictory to the Green Wedge policy and NPPE.

This a beautiful natural landscape that attracts numerous rambles from far and wide to the area. I am a local resident and witness directly its popularity and the advantages such visitors bring to our local tourism trade. Residential development would undoubtedly impact, destroying the villages infrastructure and rural charm.

This is a green wedge site and it is the duty and care of our local council to ensure it is protected. Not only is the landscape of this site beautiful it provides a diverse habitat for wildlife. The proposed sites are arable land. It is essential we collectively protect local farming communities and rural craftsmanship. Sustainability depends on food and plant production.

Bringing high density housing to the local area with result in increased traffic, air - noise and light pollution: all detrimental to the health and wellbeing of local residents and a drain on public services - health and education.

The impact on local wildlife would be catastrophic. By developing 6a a gateway would open for site 6b. It is essential that BOTH sites be removed from the local plan. The Council should hold true to its commitment to Biodiversity Net Gain and ensure that this green wedge designated area be preserved for future generations. The village of Sidbury must keep its identity as a rural community and our arable and wildlife lands remain PROTECTED.

Full name: Reece & Jo Salter

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Please find below my reasons for objection to the proposed building.

We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

- Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

- Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory

protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

- Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.
- Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets.

- Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations.
- Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

- Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.
- Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.
- Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

Full name: Christine and Kim Scratchley

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It has come to our attention that Site 6a is now in the preferred category in the Sidmouth Local Plan.

This site is on the Green wedge and should have double protection as part of the National Landscape. If 35 houses are built on this site it sets a precedent for building considerably more houses on Site 6b.

Building in the Sid Vallley has already put stress on the current infrastructure and services are barely coping.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Site 6a should NOT be considered.

Full name: Mrs Linda Slade

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Site:
Land East of Burscombe Lane / West of Windsor Mead.

I strongly object to the above second version of local planning.

ACCESS - This has always been an issue when pulling out on to the B3052 (Sidford High Street) towards Waitrose, with traffic coming down from a blind corner - and traffic not always at 30 mph. This is also dangerous at times when pulling in to Windsor Mead (from either direction) when there is a car waiting to pull out - just not enough space and often means having to mount the pavement to pass, or even worse having to stop, to let the other person out, when on the B3052 with traffic coming down the hill.

DISRUPTION AND SAFETY - This is a quiet, calm, secluded cul de sac and is not a wide road. A number of properties here already have more than 1/2 cars and have to park on the road which does cause issues with e.g. recycling vehicles, delivery vehicles (of which there are many), and even other residents. And now with most properties owning an average of 2 cars, that will mean potentially another 60 vehicles using this quiet road. Plus would be a real safety issue with noise and pollution. We already have an issue when driving down from the top end of Windsor Mead where we have poor visibility on the corner heading down to the junction on to Sidford High Street.

And then we will have the enormous disruption of heavy vehicles, noise and serious debris on the road. And where are the builders going to park?

FLOODING - We already have issues with flooding - when there's heavy rain we have a river that runs down from the top end of Windsor Mead and with the camber of the road at the corner then runs down on to Sidford High Street and onwards!

This is not a suitable site!!

Full name: louis squance

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

- **Major Development:** Building a housing estate here constitutes “major development” in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

- **Irreversible Harm:** The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon’s Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

- **Settlement Identity:** Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.

- **Precedent:** Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district’s housing targets.

- **Marcombe Strategy:** EDDC’s own strategy is to concentrate growth in sustainable, purpose-built communities rather than “bolting on” unsustainable developments to existing villages in sensitive locations.

- **Brownfield First:** National policy in 2026 mandates a “brownfield-first” approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality “Grey Belt” sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

- Biodiversity Loss: The site provides vital “green lungs” and wildlife corridors. Development would conflict with the Council’s commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.
- Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.
- Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the “commanding views over the river Sid and village.”

Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I appreciate your assistance with this matter.

*** Personal details have been removed ***

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, “great weight” must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

- Major Development: Building a housing estate here constitutes “major development” in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.
- Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon’s Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

- Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.
- Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district’s housing targets.

- Marcombe Strategy: EDDC’s own strategy is to concentrate growth in sustainable, purpose-built communities rather than “bolting on” unsustainable developments to existing villages in sensitive locations.

- **Brownfield First:** National policy in 2026 mandates a ‘brownfield-first’ approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality ‘Grey Belt’ sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

- **Biodiversity Loss:** The site provides vital ‘green lungs’ and wildlife corridors. Development would conflict with the Council’s commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.
- **Infrastructure Deficit:** Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.
- **Detrimental to local heritage:** The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the ‘commanding views over the river Sid and village.’

Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I appreciate your assistance with this matter.

*** Personal details have been removed ***

Full name: Jill Sroka

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

- **Major Development:** Building a housing estate here constitutes “major development” in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

- **Irreversible Harm:** The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon’s Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

- **Settlement Identity:** Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.

- **Precedent:** Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district’s housing targets.

- **Marcombe Strategy:** EDDC’s own strategy is to concentrate growth in sustainable, purpose-built communities rather than “bolting on” unsustainable developments to existing villages in sensitive locations.

- **Brownfield First:** National policy in 2026 mandates a “brownfield-first” approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality “Grey Belt” sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

- Biodiversity Loss: The site provides vital “green lungs” and wildlife corridors. Development would conflict with the Council’s commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.
- Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.
- Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the “commanding views over the river Sid and village.”

Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I appreciate your assistance with this matter.

Best regards,

*** Personal details have been removed ***

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, “great weight” must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

- Major Development: Building a housing estate here constitutes “major development” in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.
- Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon’s Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

- Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.
- Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlbcombe as the primary vehicle for meeting the district’s housing targets.

- Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than 'bolting on' unsustainable developments to existing villages in sensitive locations.
- Brownfield First: National policy in 2026 mandates a 'brownfield-first' approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality 'Grey Belt' sites before resorting to the destruction of high-value National Landscapes.

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- Biodiversity Loss: The site provides vital 'green lungs' and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.
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I appreciate your assistance with this matter.

Best regards,

*** Personal details have been removed ***

Full name: Eric Stonham

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: am a resident of Windsor Mead, being a freeholder of Number 26. My postcode is EX10 9SJ.

I am writing to object to the granting of planning permission for properties to be built on the above site.

I have read the letter of objection posted by Wollens Solicitors and agree with the points made.

My particular objections are 1) to the use of National Landscape (previously AONB) for greenfield development; 2) to the use of Burscombe Lane as access particularly as there is no pavement on that side of Sidford High Street; 3) to the use of Windsor Mead as an access route. I purchased my property in the expectation that Windsor Mead would remain a small cul-de-sac with little vehicular traffic. From my daily vehicular use I can say the exit onto Sidford High Street is very difficult if not dangerous as the visibility to the left down the hill is restricted even when the vegetation is cut back which is not always the case. In addition Windsor Mead itself is so narrow at the High Street junction that if a vehicle is waiting to turn out, only the smallest vehicles can turn in. The larger ones have to stop on the High Street to await the exit manoeuvre, causing traffic delays. Here also there is no pavement on the Windsor Mead side of the High Street. 4)

to the suggestion that a compulsory purchase order might be used for a matter not of national importance. That would cause immense and long lasting bad feeling, and any councillor who supported such a move would make himself of herself permanently unelectable.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Delete Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: am a resident of Windsor Mead, being a freeholder of Number 26. My postcode is EX10 9SJ.

I am writing to object to the granting of planning permission for properties to be built on the above site.

I have read the letter of objection posted by Wollens Solicitors and agree with the points made.

My particular objections are 1) to the use of National Landscape (previously AONB) for greenfield development; 2) to the use of Burscombe Lane as access particularly as there is no pavement on that side of Sidford High Street; 3) to the use of Windsor Mead as an access route. I purchased my property in the expectation that Windsor Mead would remain a small cul-de-sac with little vehicular traffic. From my daily vehicular use I can say the exit onto Sidford High Street is very difficult if not dangerous as the visibility to the left down the hill is restricted even when the vegetation is cut back which is not always the case. In addition Windsor Mead itself is so narrow at the High Street junction that if a vehicle is waiting to turn out, only the smallest vehicles can turn in. The larger ones have to stop on the High Street to await the exit manoeuvre, causing traffic delays. Here also there is no pavement on the Windsor Mead side of the High Street. 4) to the suggestion that a compulsory purchase order might be used for a matter not of national importance. That would cause immense and long lasting bad feeling, and any

councillor who supported such a move would make himself or herself permanently unelectable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete Sidm_31

Full name: Helen Webb

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In respect of Sidm-31, the Second Draft states: 'It is expected that access for all road users would be off Windsor Mead.' There is currently no access through Windsor Mead and the land is privately owned.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove site Sidm_31 from the Local Plan. The site is within the East Devon National Landscape and the Consultation document states 'The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes in East Devon.

A. Development in a National Landscape, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant).' In addition all the issues raised in planning application 25/0356/MOUT remain. These include access, highways issues, wildlife and environment, loss of habitat and drainage concerns.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See response to 2(c)

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See response to 2(c)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See response to 2(c)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sheena Young

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I am a resident of Corefields, Sidford. My main objection is based on the inadequacy of the proposed access from Burscombe Lane to the proposed site for development.

NB. The dictionary definition for a 'Lane' is 'A NARROW' road especially in a rural area; a relatively NARROW' street or road.'

Currently we experience large tractors and trailers which go up and down Burscombe lane - often at speed. This creates a safety hazard, especially for the residents of both Burscombe lane and Corefields.

To allow access for large lorries carrying heavy loads of building materials, will further compromise the safety of both motorists and pedestrians who are either resident or visiting Corefields/Burscombe lane.

In the 15 years that I have lived here, the main road traffic (A3052) has increased enormously and it is apparent that some drivers do not adhere to the 30 mph speed limit. (This has been referenced elsewhere by *** Personal details have been removed ***)

At present, vehicles leaving Burscombe lane and especially those turning right, have limited vision which necessitates pulling out beyond the junction. Large vehicles would create even more of a hazard and give rise to the potential for serious accidents.

I urge you to take these concerns into consideration when assessing the above mentioned access plans.

Full name: Robert Young

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Sirs,

I reside at [redacted] and hereby advise that I strongly object to the plan for Sidmouth_31. My objection is on the grounds that the use of Burscombe Lane, as access for the proposed development, is not only fraught with danger but is totally inadequate. I mention Burscombe Lane specifically because, as any observer would note upon traversing Windsor Mead, there is no natural access from Windsor Mead to the proposed development site. Clearly, any developer would seek alternative access which obviously would bring Burscombe Lane into focus as the only alternative route.

I have lived on Corefields for the past 15 years and in that time exiting from Burscombe Lane onto the A3052 has, in terms of difficulty and danger, increased beyond belief. This is due in the main to the increase in volume of traffic and to the seemingly increasing speed of traffic using the A3052. In turn this is compounded by the lack of visibility, particularly when turning to the right. In this respect it is totally impossible for any vehicle, irrespective of size, not to have to advance onto the A3052 in order to sight traffic approaching from the right. This is dangerous in the extreme, not only for the driver turning right to exit Burscombe Lane, but also similarly dangerous for the unwary driver approaching from the right on the A3052. The thought of adding huge construction traffic to this already dangerous situation is truly horrifying.

In terms of access in my view Burscombe Lane is totally inadequate for the use of construction traffic as, at a point a short distance above Corefields, as I understand it, the lane is marginally below 3 metres in width. This is a) simply not wide enough for large construction traffic and b), inherently dangerous for pedestrians. One only has to observe a large farm tractor transiting this bottleneck/pinch point to envisage the mayhem that will follow should said farm tractor meet an oncoming construction vehicle!

Sincerely your, *** Personal details have been removed ***

Full name: Simon Rowland

Organisation (where relevant): Wollens

Other party name (if relevant): Francesca Johnson

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Based on the representation provided, the following legal compliance concerns arise:

1. Inadequate consideration of statutory AONB (National Landscape) duties

- Sidm_31 lies entirely within the East Devon AONB, meaning “great weight” must be given to conserving and enhancing its landscape and scenic beauty.
- The representation states that the Plan fails to demonstrate the required degree of justification for encroachment into a nationally protected landscape.

2. Inaccurate or misleading evidence base (highway safety)

- The Plan’s supporting text is said to incorrectly describe the Burscombe Lane / A3052 junction as “safe.”
- The representation describes this as factually wrong and contrary to local evidence, undermining the robustness of the evidence base.

3. Lack of certainty over deliverable access

- Access via Windsor Mead would likely require a Compulsory Purchase Order (CPO).

- The representation argues that this legal mechanism must be confirmed before allocation; otherwise, no lawful access strategy exists.

4. Failure to properly consider flood risk and drainage evidence

- Recently obtained video evidence shows significant runoff, blocked drainage pipes, and overtopping infrastructure on Burscombe Lane.
- The Plan does not appear to consider this new evidence, raising concerns about compliance with national flood risk requirements.

5. Conflict with adopted development plan components

- Sidm_31 is outside the current Built-up Area Boundary (BUAB), conflicting with Strategy 7 (countryside protection).
- Strategy 46 (AONB protection) is also said to be breached, with no overriding justification provided.
- The allocation conflicts with the Sid Valley Neighbourhood Plan (Policy 10), which does not support market housing development on this site. Together, these matters indicate flawed, incomplete or inaccurate evidence and insufficient regard to statutory duties, rendering the allocation not legally compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Primary Modification (as requested in the representation): Remove Site Sidm_31 from Strategic Policy SD06 and from the Local Plan's set of housing allocations. This removes the legal compliance risks relating to AONB policy, highway safety inaccuracies, CPO uncertainty, flood risk considerations, and conflicts with the adopted plan framework.

If the Council insists on retaining Sidm_31, the following modifications are needed to achieve legal compliance:

1. Correct the inaccurate statement describing the Sidford High Street / Burscombe Lane junction as "safe".
 - o Replace with wording that accurately reflects visibility constraints, geometry, traffic conditions, and collision records.
2. Demonstrate and secure lawful, deliverable access before allocation.
 - o Confirm whether the use of Windsor Mead requires a CPO.
 - o If yes,

demonstrate that such a CPO is realistically achievable and in the public interest. o If no, identify the alternative access strategy with supporting evidence.

3. Update the evidence base to incorporate local drainage/flooding data. o Include the provided video evidence. o Demonstrate that SUDS/attenuation systems can avoid off site flood risk increases, particularly down-slope into Windsor Mead.
4. Provide justification for development in the AONB in line with national policy tests. o Including whether exceptional circumstances exist, and whether development is demonstrably in the public interest. Without these, the allocation remains legally deficient.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Not Justified

- The representation argues that Sidm_31 is one of the least suitable sites around Sidmouth/Sidford: it lies in the AONB, has severe access constraints, and generates only 12–15 dwellings, a negligible contribution to district housing needs.
- Reasonable alternatives exist outside sensitive landscapes with fewer constraints.

2. Not Effective (undeliverable)

- Access via Windsor Mead is inappropriate for a cul de sac and may depend on a CPO.
- Burscombe Lane is too narrow, lacks footways, and has a constrained junction with the A3052.
- Flooding and drainage failures are already occurring in heavy rainfall.
- These constraints may prevent the site from ever securing planning permission.

3. Not Consistent with National Policy

- The site is inside a nationally designated AONB—development here contradicts NPPF paragraphs 176–177 unless exceptional circumstances exist.
- Access / highway issues conflict with the NPPF policies on safe and suitable access (para 110).
- Flood risk concerns contradict NPPF para 167.

4. Not Consistent with the Development Plan (Neighbourhood Plan & Adopted Local Plan)

- Sid Valley Neighbourhood Plan does not allocate or support this site.
- Adopted Strategy 7 and Strategy 46 weigh strongly against allocating this part of the countryside/AONB.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Primary modification (recommended): Delete Site Sidm_31 from Strategic Policy SD06. Alternative modifications if retention is attempted: To achieve soundness, all of the following would be required:

1. A fully evidenced, deliverable and safe access solution that does not rely on altering Windsor Mead's character or using Burscombe Lane in its current form.
2. Correction of the Plan's highway evidence to eliminate the inaccurate description of the A3052/Burscombe Lane junction as "safe".
3. A comprehensive drainage solution, including enlargement/upgrade of local infrastructure and credible long term maintenance guarantees.
4. A robust AONB justification demonstrating genuinely exceptional circumstances and public interest (unlikely for 12–15 dwellings).
5. Reconciliation with the Sid Valley Neighbourhood Plan, or evidence explaining why its strategy should be overridden.

Full name: Rosie Walker

Organisation (where relevant): Woodland Trust

Other party name (if relevant): No

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_01

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: These site allocations are adjacent to Ancient Woodland (ASNW) - irreplaceable habitat according to the NPPF and should be reviewed - extra clauses should be added to ensure significant buffers of at least 50metres from the development to reduce impact. Please refer to the Natural England Standing advice on Ancient woodland and irreplaceable habitats. This can be found at <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions> ?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ensure that suitable wording is provided to ensure the protection of irreplaceable habitats, veteran and ancient trees at the locations in the attachment to this submission.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

These site allocations require additional consideration for the threats they pose to irreplaceable habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

SD07

Full name: Coral Curtis

Organisation (where relevant): Grassroots Planning

Other party name (if relevant): Broadclyst LVA LLP

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Brcl_12

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See uploaded letter. We support the emerging Spatial Strategy and welcome the site's (ref. Brcl_12) inclusion as an allocation to help meet the identified housing and employment needs. Overall, many of our previous comments on the first version of the Regulation 19 Local Plan still apply - we are only aware of one comment having been incorporated into the updated plan, relating to the timescale for the completion of self-build plots. We therefore continue to suggest that the Council carefully considers the constructive comments provided in relation to endeavouring to meet the full housing need for the district at this stage, particularly given the proposed changes to the NPPF for consultation, as well as other more specific policy requirements. In particular we have continued to suggest that the site should be allocated for 145 homes, as opposed to 100, in order for an effective use of land to be delivered as part of the development. It has also been demonstrated and is recognised by East Devon District Council that Land west of Whimble Road, Broadclyst (ref. Brcl_12) is a suitable, sustainable, accessible and deliverable site for residential and employment development, which is

demonstrated in outline planning application 25/1133/MOUT. Based on the details provided within these and previous representations, we, therefore, hope to see the allocation for the site maintained – once the Local Plan Examination begins, the planning application that is currently being determined by the Council will demonstrate the site’s deliverability to the Planning Inspectorate to underpin the allocation of this land. Development in the Towns and Villages Strategic Policy SD07 sets out the development allocations at Broadclyst. This now states the following: “The sites/areas listed below, as identified on the Policies Map, are allocated for development. Land west of Whimble Road, Broadclyst (Brcl_12) combined with Land to east of Town End, Broadclyst (Brcl_29) Development of these two sites, on the eastern side of the village, will need to come forward to an agreed Masterplan that provides for a comprehensive development scheme for both land areas. Vehicle access to the combined sites will need to be from Whimble Road with vehicle and pedestrian access from Brcl_12 linking through and into Brcl_29. Through its layout, design and landscaping, development should respond sympathetically to the rural and historic character of the settlement, and should conserve and enhance the settings of designated heritage assets.” While we generally support this approach to development across the two land parcels given the relationship between the two sites and the facilities within the wider settlement, LVA currently only has control over Land west of Whimble Road (ref. Brcl_12).

Notwithstanding, the proposed masterplan for the Brcl_12 site has carefully considered the link between both sites and how they could complement each other. It also includes an indicative suggestion of how Land to east of Town End (re. Brcl_29) could come forward alongside the wider Brcl_12 site, to ensure they dovetail together and the development of Land west of Whimble Road (ref. Brcl_12) does not fetter proposals coming forward on the adjacent Brcl_29 land. LVA is happy to work with the adjacent landowner to allow for vehicular access for Brcl_29 to be delivered via the LVA site. LVA has a positive track record of working collaboratively with other stakeholders and always seeks to enable the best possible spatial planning solution. The final sentence in the policy extract above (see underlined section) has been added as part of the second regulation 19 consultation plan, and specifically seeks that development should conserve and enhance the setting of designated heritage assets. We agree that this matter should be considered as part of any development at the site, and the applicant commissioned Pegasus Group to prepare a Heritage Statement assessing the likely heritage impacts arising from the proposed development. The assessment identified there to be ‘less than substantial harm’, to the lower end of the scale, on the setting of the Grade I Listed Church of St John the Baptist. A similar conclusion was drawn for the Grade II Listed Lake House given the glimpsed views of this asset from certain points within the site. Accordingly, in our planning statement for the application we set out that paragraph 215 of the NPPF needs to be considered, which requires the ‘less than substantial harm’ identified to be weighed against the public benefits of the scheme. In our view, the public benefits of the scheme are significant – most notably, the provision

of market, affordable and self/custom-build housing, the provision of employment land, and the provision of significant public open space in the form of a new community parkland, play area and allotments. In addition, significant Biodiversity Net Gain is provided in excess of the Government's 10% target. Strategic Policy SD07 goes on to state that: Area Brcl_12 – is to accommodate around 100 new homes and 0.6 hectares of employment land. Built form shall be focused on the land to the north-west of Winter Gardens and south of Lake Farm with lower density development forming a frontage onto the road from Burrows Cross within the field to the north-east of Winter Gardens. To the north of Brcl_12 there is scope to provide open space and habitat and other open space areas. We support the general provisions of this policy for Land west of Whimble Road, Broadclyst (ref. Brcl_12), including built form being focused on the land to the north west of Winter Gardens and south of Lake Farm, with lower density development forming a frontage onto the road from Burrows Cross within the field to the north-east of Winter Gardens, and the provision of open space, habitat and other open space areas to the north of Brcl_12. These are elements that are featured and met through our proposed masterplan for the site. Notwithstanding, as set out and demonstrated in previous representations to the Local Plan, we consider that the site can deliver up to 145 dwellings (including affordable housing and custom-self build plots), while still accommodating the other required and important aspects of the scheme. These include 0.6 hectares of employment land, access from Whimble Road, as well as a community play area. Significant areas of public open space are also included that are well in excess of what would be required by policy and will in effect deliver a large area of publicly accessible parkland for the whole village to enjoy. This has been informed by technical work including highways, ecology, landscape, heritage and drainage work, all of which underpin the submitted masterplan design. Furthermore, Highways Officers have confirmed that the access design is sufficient to accommodate this number of homes and the employment provision, and no objections have been raised by the Council's placemaking team or urban designer in respect of density or overdevelopment of the site. We, therefore, consider that this is the optimal solution for the delivery of housing at Broadclyst that would see a multitude of benefits being realised without harm being caused. We therefore respectfully continue to ask for the number of homes to be accommodated on the Brcl_12 site to be increased to 145 dwellings, particularly given the Council is only planning for 80% of the district's overall housing requirement, and this would assist the Council in getting closer to delivering the full requirement now rather than in the future and would assist in providing a degree of contingency should other allocations not come forward or achieve a lower quantum of development. ...It is considered that the policy wording needs further clarity as it is currently not clear whether the 5% requirement relates to the overall housing numbers on site or just the market housing element of the scheme. We suggest that the policy is worded to make clear that this reflects 5% of market housing only ...BNG requirement- We, therefore, continue to suggest that this is investigated further by the Council, and

appropriate evidence and justification for the 20% requirement is provided because at present this has not been provided and we strongly oppose this policy requirement as it is contrary to national policy.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See uploaded letter. We support the emerging Spatial Strategy and welcome the site's (ref. Brcl_12) inclusion as an allocation to help meet the identified housing and employment needs. Overall, many of our previous comments on the first version of the Regulation 19 Local Plan still apply - we are only aware of one comment having been incorporated into the updated plan, relating to the timescale for the completion of self-build plots. We therefore continue to suggest that the Council carefully considers the constructive comments provided in relation to endeavouring to meet the full housing need for the district at this stage, particularly given the proposed changes to the NPPF for consultation, as well as other more specific policy requirements. In particular we have continued to suggest that the site should be allocated for 145 homes, as opposed to 100, in order for an effective use of land to be delivered as part of the development. It has also been demonstrated and is recognised by East Devon District Council that Land west of Whimble Road, Broadclyst (ref. Brcl_12) is a suitable, sustainable, accessible and deliverable site for residential and employment development, which is demonstrated in outline planning application 25/1133/MOUT. Based on the details provided within these and previous representations, we, therefore, hope to see the allocation for the site maintained – once the Local Plan Examination begins, the planning application that is currently being determined by the Council will demonstrate the site's deliverability to the Planning Inspectorate to underpin the allocation of this land. Development in the Towns and Villages Strategic Policy SD07 sets out the development allocations at Broadclyst. This now states the following: "The sites/areas listed below, as identified on the Policies Map, are allocated for development. Land west of Whimble Road, Broadclyst (Brcl_12) combined with Land to east of Town End, Broadclyst (Brcl_29) Development of these two sites, on the eastern side of the village, will need to come forward to an agreed Masterplan that provides for a comprehensive development scheme for both land areas. Vehicle access to the combined sites will need to be from Whimble Road with vehicle and pedestrian access from Brcl_12 linking through and into Brcl_29. Through its layout, design and landscaping, development should respond sympathetically to the rural and historic character of the settlement, and should conserve and enhance the settings of designated heritage assets." While we generally support this approach to development across the two land parcels given the relationship between the two sites and the facilities within the wider settlement, LVA currently only has control over Land west of Whimble Road (ref. Brcl_12).

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See uploaded letter.

We support the emerging Spatial Strategy and welcome the site's (ref. Brcl_12) inclusion as an allocation to help meet the identified housing and employment needs. Overall, many of our previous comments on the first version of the Regulation 19 Local Plan still apply - we are only aware of one comment having been incorporated into the updated plan, relating to the timescale for the completion of self-build plots. We therefore continue to suggest that the Council carefully considers the constructive comments provided in relation to endeavouring to meet the full housing need for the district at this stage, particularly given the proposed changes to the NPPF for consultation, as well as other more specific policy requirements. In particular we have continued to suggest

that the site should be allocated for 145 homes, as opposed to 100, in order for an effective use of land to be delivered as part of the development. It has also been demonstrated and is recognised by East Devon District Council that Land west of Whimble Road, Broadclyst (ref. Brcl_12) is a suitable, sustainable, accessible and deliverable site for residential and employment development, which is demonstrated in outline planning application 25/1133/MOUT. Based on the details provided within these and previous representations, we, therefore, hope to see the allocation for the site maintained – once the Local Plan Examination begins, the planning application that is currently being determined by the Council will demonstrate the site's deliverability to the Planning Inspectorate to underpin the allocation of this land. Development in the Towns and Villages Strategic Policy SD07 sets out the development allocations at Broadclyst. This now states the following: "The sites/areas listed below, as identified on the Policies Map, are allocated for development. Land west of Whimble Road, Broadclyst (Brcl_12) combined with Land to east of Town End, Broadclyst (Brcl_29) Development of these two sites, on the eastern side of the village, will need to come forward to an agreed Masterplan that provides for a comprehensive development scheme for both land areas. Vehicle access to the combined sites will need to be from Whimble Road with vehicle and pedestrian access from Brcl_12 linking through and into Brcl_29. Through its layout, design and landscaping, development should respond sympathetically to the rural and historic character of the settlement, and should conserve and enhance the settings of designated heritage assets." While we generally support this approach to development across the two land parcels given the relationship between the two sites and the facilities within the wider settlement, LVA currently only has control over Land west of Whimble Road (ref. Brcl_12). Notwithstanding, the proposed masterplan for the Brcl_12 site has carefully considered the link between both sites and how they could complement each other. It also includes an indicative suggestion of how Land to east of Town End (re. Brcl_29) could come forward alongside the wider Brcl_12 site, to ensure they dovetail together and the development of Land west of Whimble Road (ref. Brcl_12) does not fetter proposals coming forward on the adjacent Brcl_29 land. LVA is happy to work with the adjacent landowner to allow for vehicular access for Brcl_29 to be delivered via the LVA site. LVA has a positive track record of working collaboratively with other stakeholders and always seeks to enable the best possible spatial planning solution. The final sentence in the policy extract above (see underlined section) has been added as part of the second regulation 19 consultation plan, and specifically seeks that development should conserve and enhance the setting of designated heritage assets. We agree that this matter should be considered as part of any development at the site, and the applicant commissioned Pegasus Group to prepare a Heritage Statement assessing the likely heritage impacts arising from the proposed development. The assessment identified there to be 'less than substantial harm', to the lower end of the scale, on the setting of the Grade I Listed Church of St John the Baptist. A similar conclusion was drawn for the

Grade II Listed Lake House given the glimpsed views of this asset from certain points within the site. Accordingly, in our planning statement for the application we set out that paragraph 215 of the NPPF needs to be considered, which requires the ‘less than substantial harm’ identified to be weighed against the public benefits of the scheme. In our view, the public benefits of the scheme are significant – most notably, the provision of market, affordable and self/custom-build housing, the provision of employment land, and the provision of significant public open space in the form of a new community parkland, play area and allotments. In addition, significant Biodiversity Net Gain is provided in excess of the Government’s 10% target. Strategic Policy SD07 goes on to state that: Area Brcl_12 – is to accommodate around 100 new homes and 0.6 hectares of employment land. Built form shall be focused on the land to the north-west of Winter Gardens and south of Lake Farm with lower density development forming a frontage onto the road from Burrows Cross within the field to the north-east of Winter Gardens. To the north of Brcl_12 there is scope to provide open space and habitat and other open space areas. We support the general provisions of this policy for Land west of Whimble Road, Broadclyst (ref. Brcl_12), including built form being focused on the land to the north west of Winter Gardens and south of Lake Farm, with lower density development forming a frontage onto the road from Burrows Cross within the field to the north-east of Winter Gardens, and the provision of open space, habitat and other open space areas to the north of Brcl_12. These are elements that are featured and met through our proposed masterplan for the site. Notwithstanding, as set out and demonstrated in previous representations to the Local Plan, we consider that the site can deliver up to 145 dwellings (including affordable housing and custom-self build plots), while still accommodating the other required and important aspects of the scheme. These include 0.6 hectares of employment land, access from Whimble Road, as well as a community play area. Significant areas of public open space are also included that are well in excess of what would be required by policy and will in effect deliver a large area of publicly accessible parkland for the whole village to enjoy. This has been informed by technical work including highways, ecology, landscape, heritage and drainage work, all of which underpin the submitted masterplan design. Furthermore, Highways Officers have confirmed that the access design is sufficient to accommodate this number of homes and the employment provision, and no objections have been raised by the Council’s placemaking team or urban designer in respect of density or overdevelopment of the site. We, therefore, consider that this is the optimal solution for the delivery of housing at Broadclyst that would see a multitude of benefits being realised without harm being caused. We therefore respectfully continue to ask for the number of homes to be accommodated on the Brcl_12 site to be increased to 145 dwellings, particularly given the Council is only planning for 80% of the district’s overall housing requirement, and this would assist the Council in getting closer to delivering the full requirement now rather than in the future and would assist in providing a degree of contingency should other allocations not come forward or achieve a lower quantum

of development. ...It is considered that the policy wording needs further clarity as it is currently not clear whether the 5% requirement relates to the overall housing numbers on site or just the market housing element of the scheme. We suggest that the policy is worded to make clear that this reflects 5% of market housing only ...BNG requirement- We, therefore, continue to suggest that this is investigated further by the Council, and appropriate evidence and justification for the 20% requirement is provided because at present this has not been provided and we strongly oppose this policy requirement as it is contrary to national policy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO RESPOND, AS REQUIRED, TO ANY QUESTIONS IN RELATION TO POLICY SD07 AND IN PARTICULAR SITE BRCL_12.

Full name: Rosie and Guy Hayward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Brcl_12, Brcl_29

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

Full name: Rosie and Guy Hayward

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Brcl_12, Brcl_29

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Direct impact to local property Footpath not adequate – Several homes lie along the public footpath shown in the proposal as the main footpath from the development site to the village centre. The footpath has been used for very light footfall for many years. It is totally maintained by the home owners along the path. If this path becomes the main walkway, the properties will be directly negatively affected by noise, lack of privacy, litter, added security threats and wear and tear due to a substantial increase in footfall. Also, the footpath exits onto the very busy and dangerous Town End, with no pavements, fast and at school times, constant traffic and a danger to children walking to school. This has always been a hazzard and will become more so with increased usage. If this proposal is to go ahead, Developers must reconsider the relocation of such a vital pathway to the village amenities and to the schools. A new footpath must be created in a more appropriate location, given the massive increase in usage and the danger to pedestrians exiting to Town End. I hope the council and planning officers will seriously consider the negative impact on this small quiet footpath, its residents and its users and direct the walkway elsewhere within the proposal. Flooding - LVA's flood risk assessment does show that Lake Barn has a flood risk, but a low one, which is incorrect. In reality, the private gardens adjacent to the Winter Gardens site are saturated from October through to April and there have been many times that a torrent of water has flowed off the fields, down the footpath and into residents gardens. This tends to happen when there has been a period of dry sunny weather and the ground has become caked and solid. With the additional concrete and pavements this development brings, we feel the threat of flooding will be exacerbated. Upslope development has proven throughout the UK to cause a huge increase in flooding, to the

point that homes that have stood for centuries with minimal flooding have now been reclassified by the Environment Agency as being within flood plains. We are extremely concerned that the drainage system being put forward will not address the low lying properties along the footpath, Town End and Burrow Road, all of which flood regularly already. Noise and Security - As mentioned, the considerable increase in footfall along the proposed footpath and its use morning and afternoon as the main walkway to and from the schools, will undoubtedly impact on the noise level for all residents. Homes will be open to potential security issues and antisocial behaviour and we are concerned about the impact this will have on village lives. Parking and vehicular access – With reference to the footpath off Town End, to date, the only cars parked in that lane belong to the residents. We note that LVA has proposed a large playing field on site, but this has no nearby parking provided at all. Where will users of the playing field park? There is a strong belief that the footpath will be used regularly for parking cars that wish to use the playing fields and for additional cars belonging to the estate homeowners. This is another reason another footpath should be created in a more appropriate location.

Direct impact to Broadclyst Village – Lack of proposed infrastructure Sewage - The sewage pumping station and treatment plants are hardly coping right now, but yet LVA have not addressed the sewage situation in any way. Sewage is at capacity and that's before the 15 new homes are developed along the Whimble Rd. The developers say there are no records of overflows yet everyone in the village is aware of the raw sewage overflows into the fields and onto the lanes. The current pipes are not able to cope and the system is not fit for purpose. Flooding - having lived in the village for 28 years, we know how badly the area floods. The Wintergarden fields flood constantly over the winter. The lanes from Station Road through to Town End and Burrow Road and the back country lane to Cranbrook, are under water a great deal of time. Our own garden off Town End has an incredibly high water table. It would be vital that both planning and developers take this into account and we would question where all the water will go if such a massive site is laid with concrete Traffic and access - with the village served by narrow, winding lanes, many single track, serving many homes and two schools with few pavements and little parking, the village traffic as it is, is both dangerous and increasingly overwhelming. Lack of pavements are already causing issues for pedestrians and school children. There are no cycle lanes and few footpaths. The village suffers from a huge increase in traffic coming cross country from Cranbrook, speeding along the back village lanes to the schools morning and afternoon and generally through the day. Town End has become another dangerous school rat run. There is no parking for parents so the whole of Town End is double parked with cars morning and afternoon. Any new development will have the potential to add to the chaos and danger...there would need to be safe, plentiful access out of the site, providing safe pavements and new cycle paths to and from the village. There would need to be adequate footpaths

throughout the new area and adequate lighting. In order to sustain safety, the village would need pavements and cycle paths, all the way to the schools from the proposed site. As Town End cannot sustain any further traffic, somehow a solution would have to be proposed to deal with the extra cars and pedestrians onto the narrow single track lanes around the proposed site. We would greatly appreciate members of the Planning Department to visit the village around Cyst Vale Community College both morning and afternoon school times to see for themselves the absolute gridlock that occurs every single weekday during school term time.

Healthcare - The plans put forward by LVA do not show any Doctors surgery. Broadclyst and Pinhoe surgery have found it difficult enough to accommodate the massive intake of new patients from Cranbrook, which should have adequately provided healthcare for its own people but did not. The surgery has made it clear that they are full to capacity and cannot take on the burden of more families. This would need to be seriously addressed before any further homes were considered.

Schools - The local schools are completely overwhelmed and full to capacity with waiting lists. There is no provision in the plan to develop a new school, yet the local schools cannot cope with more intake.

Transport in and out of the village - this too is already a worrying problem for villagers...the Whimple Road, Station Road and the Main Road to Exeter are already jam packed both morning and evening...the traffic is absolutely horrendous and increasingly getting worse. The proposed site would add to the congestion and chaos considerably. With the development of Cranbrook, the Science Park and the huge number of large lorries and Amazon vans using Station Road, plus the fact it has no pavements, the road is chaotic, dangerous and often flooded.

Wildlife - it is well known that the proposed site support birds, bats and a diverse amount of wildlife and plant species and the land is productive farmland. It seems shortsighted to not take this into account and plan so many more houses in such a wildlife rich area.

To conclude, the Wintergardens proposal should not be accepted given the many negative factors as shown above. The size and scale of the proposed development would engulf the village and its historic character and cause a vast increase in the

struggles the area already faces. If any building was to go ahead on this site, there are a large number of very practical concerns that must be addressed and fixed by both Planning and developers at a very early stage. This undoubtedly would incur much cost, but it is imperative that these issues be taken into account and seriously understood and put right.

Full name: Lucy Neal

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Brcl_12, Brcl_29

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Development on this scale is too large for a village of the size of Broadclyst. The community and facilities will not be able to cope with this number of houses suddenly arriving at one time. For example, the primary and secondary schools are already full and oversubscribed – there will be no school places available for new residents immediately. The Doctors surgery is also at capacity. The number of homes in these areas has increased from an initial figure of 70 in the plan. It is also not included in the parish Neighbourhood Plan which allowed for the required number of houses that needed to be built within the parish. There is currently significant numbers of houses being built in nearby Cranbrook, West Clyst and Tithebarn without the need for even more houses in a small village. 2. The land on which is proposed building on, regularly floods and is constantly waterlogged in winter. The local plan needs to state that there needs to be mitigation within any developments against flooding and where the displaced water which falls on built land will go – it will end up increasing flooding in the surrounding roads and dwellings which already flood. 3. The sewage network will not cope with additional houses feeding into it – particularly on this scale. There are already multiple events every year where the sewage discharges and floods onto the surrounding roads – this will only increase if there is further inflow to the sewage system. 4. There are no suitable footpaths for access into the village. Access to the primary school is along Town End, which does not have a footpath along its full length to the development – young children would therefore need to walk along the road to

access the school. This road is narrow and gets very busy at school times so would be a significant hazard. Likewise, access to the secondary school is along Whimple Road. This is an extremely dangerous road with fast, busy traffic and no footpath. It has a blind summit part way along where any pedestrians would not be seen by oncoming traffic. Children have been known to have been clipped by cars walking along this road. The local plan should acknowledge this and require speed limit reductions. 5. Roads surrounding this development are narrow and unable to take additional traffic. At school drop off / pick up times, the roads become entirely congested already without adding additional cars and subsequent pollution from standing traffic. Town End, the route to the primary school and northbound B3181 is very narrow single road with few passing places. Crannaford Lane has become increasingly busy since Cranbrook was built and is now a key link out to the A30 eastbound. This road will inevitably become much busier with this development as it is immediately next to it. However this lane is a small single carriageway road, which is prone to both potholes and flooding. The route into Exeter from this development, the B3181 passes through both West Clyst and Pinhoe, both of which are already subject to considerable traffic delays – this development will further increase the gridlock in these areas.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: * A reduction in the number of houses * Speed limits and pedestrian access requirements for access roads to this site should be acknowledged and required. * Requirements for coping with sewage and flooding should be included in the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Not listening to local residents

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Patricia Clare Ratcliffe

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Brcl_12, Brcl_29

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: To

whom it may concern, Please accept this e mail as my written objection to both amendments submitted under regulation 19 for the above planning application. Firstly may I tell you how difficult I found the online consultation to read and understand and I feel you should be concerned that not everybody can navigate/complete complicated digital forms even though they would like to contribute to the demographic decision making. I being one of these people will not be filling the form.

Objection to amendment 1. Some people did not object to the initial consultation for this development on the grounds that it was to provide light industry units. If the units were taken out of the equation the developers would have more land space to build more houses. As it is the development proposed area is too overbearing for the size of the village, the consequences of even more residential building will worsen the issues of overstretched public services and put a unreasonable burden on a community that is already struggling to cope.

Objection to amendment 2. Most of the hedges and narrow lanes are historical in this area they should be preserved rather than destroyed to make room for the increased and heavier traffic.

Please register my strong objection to these two amendments and the direction of this application.

Full name: Anton Schwarzin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Brcl_12, Brcl_29

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to object to the two amendments submitted under Regulation 19 in relation to planning application 25/1133/MOUT.

The proposed removal of the employment land raises serious concerns about the soundness of the scheme. It indicates that the site was never of sufficient size to realistically support both the scale of housing proposed and the employment provision originally claimed, calling into question whether the development has ever been properly justified.

No alternative employment provision has been identified, and the amendment appears simply to create scope for additional housing, further undermining the sustainability of the proposal.

The surrounding infrastructure is already under significant strain, including local roads, drainage, and access to services. These constraints exist regardless of whether employment land is included, and in my view the area is not capable of supporting development of this scale.

In addition, the scale of the development would cause lasting harm to the historic landscape and rural character of the village, which cannot be preserved in the context of such extensive building.

For these reasons, I strongly object to the Regulation 19 amendments and to the application as a whole.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Melanie Schwarzin

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Brcl_12, Brcl_29

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I wish to formally object to the two amendments submitted under Regulation 19 in relation to planning application 25/1133/MOUT.

The proposed removal of the employment land is of serious concern. It appears to confirm that the site was never of sufficient size to realistically accommodate both the scale of housing proposed and the employment provision originally put forward. If the site cannot support employment use now, then it raises fundamental questions about whether the original scheme was ever sound or properly justified.

This amendment exposes an internal inconsistency at the heart of the proposal. The employment land appears to have been included initially to support the scale of residential development, yet is now being removed because it is no longer deliverable. This suggests that the housing quantum itself may be excessive for the site and that the scheme was not based on a robust or realistic assessment of capacity.

Furthermore, the removal of employment land does nothing to address and in fact exacerbates the wider sustainability concerns. No alternative employment provision has been identified, increasing the likelihood of out-commuting and reinforcing the creation of a dormitory development, contrary to the principles of sustainable development.

In addition, the scale of the development would cause lasting harm to the historic landscape and rural character of the village, which cannot be preserved .

Crucially, the infrastructure surrounding the site is already demonstrably overstretched. Local roads, drainage, flood resilience, and access to services are under pressure, and this is well known to local residents. The site is therefore not suitable for development at this scale in the first place, regardless of whether employment land is included or removed. The amendments fail to resolve this core issue and instead appear to prioritise development convenience over infrastructure reality.

Taken together, these amendments do not improve the scheme. Rather, they underline its lack of soundness, poor justification, and failure to respond to the genuine constraints of the site and its surroundings.

For these reasons, I strongly object to the Regulation 19 amendments and to the application as a whole.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Brcl_12, Brcl_29

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify design requirements to conserve and enhance the settings of heritage assets. This resolves the issue we raised in our response to the Regulation 19 Plan.

SD08

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD08

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
BudL_02

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • BudL_02: 35 new homes at Barn Lane, again inside the NL boundary. Most, if not all, of these sites cannot be justified as exceptional circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): WainHomes (South West) Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD08

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Budl_02

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

WainHomes strongly supports the allocation of Land at Barn Close, Budleigh Salterton (Budl_02) but request that the allocation policy should be worded more positively to enable much needed houses to come forward. Our client continues to fully support the allocation of the site for residential development but does have some concerns with the additions to the policy as follows:

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscape Impacts The relationship of the site to the National Landscape (NL) is fully appreciated and this relationship has been an important consideration for the layout and design in the current application. While conserving and enhancing the scenic beauty of NL is consistent with national policy there is a concern that the additional text, which requires the natural beauty of the site to also be conserved and enhanced, would run counter to the site being developed. This is the only site proposed to be allocated in Budleigh – and noting all previous points made about the need for development to be accommodated within the NL to meet local and district wide housing needs – policies should not be drafted in such a way to conflict with the allocation. It also noted that there is an element of inconsistency with how this matter is addressed in other site allocations proposed within or in the setting of the NL in other parts of the district. While some site policies have been amended to include reference to the need to ‘conserve and enhance’, other policies only refer to the ‘scale, design, lighting and materials of new development being appropriate for the NL’. While the importance of the NL is fully recognised how these policies are wording in terms of the

approach to development within the NL should be consistent and should not be overly prohibitive on the basis of the overriding need for such sites to come forward being accepted. The policy is also overly prescriptive regarding certain elements references specific planting requirements, site buffers, lighting limitations etc. However, the detailed scheme should be informed by the supporting technical assessments and identified mitigation. It must also be recognised that there may be specific standards required by other agencies for example street lighting by highways adoptions team.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Requested Changes

The following further changes are requested to the site allocation policy deletions in square [] brackets and additions in regular () brackets: This land on the northern side of Budleigh Salterton is allocated for 35 new dwellings. The site is located inside the East Devon National Landscape. [area and particular sensitivity will need to be attached to development proposals in respect of potential adverse landscape impacts. and particular sensitivity will need to be attached to development proposals to conserve and enhance the natural beauty of the site and its wider landscape setting.] (Development proposals should therefore be landscape-led, informed by detailed assessment and design work to avoid impacts on the designated area, including scale, design, lighting and materials appropriate for the National Landscape.) [Additional native tree and hedge planting should be provided and maintained to screen the road frontage with the B3178. Existing hedges should be retained and enhanced and adequate buffers provided between them and private curtilages. A high standard of design and use of appropriate materials reflecting local distinctiveness is required commensurate with the location within the National Landscape. This should include avoiding the introduction of street lighting along the B3178.) Site development will need to come forward with provision of safe footpath access to the Budleigh primary school. Site proximity to the Grade II* listed Tidwell House is such that significant care must be taken to avoid potential for adverse impacts on the property and its setting.

SD09

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD09

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Coly_06a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

DCC welcomes the greater clarity provided by the revised wording relating to footway improvements along the frontage of the Coly_06a allocation.

SD10

Full name: Caroline Lewis

Organisation (where relevant): Lymptstone Water Quality Group

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD10

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
GH/ED/72a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: First I want to point out that your description of the change in the wording ie flood risk, and the reason for the change ie clarity on footpath, do not match. This may have prevented some people from realising the significance of the change in wording and therefore not given them the opportunity to comment. Have you confirmed that there are no sites available for 42 house development across the whole of East Devon which would not have a risk of flooding and which could be included in the Plan so that this site could be deleted from the plan. Any development in Lymptstone which has a risk of flooding should be deleted from the plan as Lymptstone village is already at high risk of flooding and cannot cope with any additional risk.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Delete GH/ED/72a from the Local Plan as the site is unsuitable.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Lympstone village is at very high risk of flooding and cannot have any development which creates any additional risk of flooding in the area.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Delete GH/ED/72a from the Local Plan as the site is unsuitable.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Lucy Tyrrell

Organisation (where relevant): Lympstone Parish Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD10

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Infrastructure Delivery Plan: No infrastructure upgrades, SANGs, or suitable alternative pedestrian/cycle routes to mitigate increased reliance on car dependency from new developments planned in Lympstone, yet Lympstone is in the top three parishes for housing allocations.

Note: LPC is awaiting updates on its Proposed Landscape Plan for active travel improvements from DCC Highways Officer (agreed to reassess the junction at Harefield Cross) and *** Personal details have been removed *** , Green Infrastructure Manager, EDDC.

SD11

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD11

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Wood_16

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

*** Personal details have been removed *** fully endorses the allocation of site Wood_16 but considers that the policy should be amended to reflect that the site has outline consent granted 29 August 2025 under application 22/2838/MOUT. This application was accompanied by an illustrative site layout and DAS identifying an acceptable approach to the site layout, development areas and design which the subsequent reserved matters must have regard to. As such is it not considered reasonable for the allocation policy to be amended to add additional requirements after an outline application has been approved. Prescribing that the layout and design should reflect the Conservation Area – which is quite extensive with a mixed character and appearance – or prescribing a buffer zone to the watercourse could limit the ability of the subsequent reserved matters to adhere to the outline principles.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Finally, while not proposed as an amendment in the current version the reference to need for the footpath

to be protected and enhanced should also be amended to reflect that the definitive route of the footpath (although not the actual worn route on the site) will need to be diverted to accommodate the consented development. Requested Changes The following further changes are requested to the site allocation policy (deleted text struck through and new text underlined in red): This site is allocated for around 70 dwellings and benefits from an existing outline consent which demonstrates that 70 homes can be delivered on the site. Suitable provision will need to be made for pedestrians to safely cross the B3179 to access the pavement route to the village centre. Woodbury footpath 3, as it travels through the site, must be protected and enhanced will need to be diverted as part the development but a PROW through the site must be provided. The design and layout of development should reflect the key characteristics of Woodbury Conservation Area to the north. Buffer zones of no built development at least 8m from the watercourse must be provided.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD11

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Wood_16

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text in relation to Woodbury Conservation Area. This resolves the issue we raised in our response to the Regulation 19 Plan.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD11

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Wood_10

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify design requirements to conserve and enhance the settings of heritage assets. This resolves the issue we raised in our response to the Regulation 19 Plan.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD11

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Wood_09

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify design requirements to conserve and enhance the settings of heritage assets. This resolves the issue we raised in our response to the Regulation 19 Plan.

SD12

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD12

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Brhe_07

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We continue to object to draft Policy SD12 in its current form on the basis that insufficient allocations are included. As outlined in our response to draft Policy SP02, the housing requirement should be increased and further allocations included within the plan, including at sustainable settlements such as Broadhembury. We outlined in our representations to the first Regulation 19 consultation why we consider Broadhembury to be a suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. However, one a single allocation is included for the village for only 10 dwellings. We refer to our first regulation 19 representations on why we consider Broadhembury is an appropriate location to direct a higher proportion of growth, over and above this current level. Again, in the context of the need to increase the overall housing requirement and with it the need for the Council to identify additional site allocations, we continue to promote the Land south of The Vicarage, Broadhembury (Brhe_07) as one such site which the Council could look to as an easy way to identify an additional small site at one of the sustainable villages. The site has been assessed previously by the Council as part of the emerging local plan, and specifically through the HELAA process but was rejected in earlier stages of the draft

local plan and not included as a preferred allocation in the Regulation 19 draft. The latest site assessment evidence is contained within the Site Selection Report Broadhembury (February 2025). Within the Site Selection Report, the site is assessed under reference (Brhe_07) 'Land south of The Vicarage, Broadhembury'. The site is assessed on the basis of a potential capacity for around 10 dwellings, consistent with the site already included as a draft allocation (Brhe_09). We strongly disagree with the broad and sweeping conclusions for the site presented in the Site Selection Report.

Firstly, in terms of landscape impact, the Report states: "National Landscape site. Very high landscape value and the site slopes so the upper parts are visible, increasing its development sensitivity to high". Secondly, in terms of heritage impact, the Report states: "Significant heritage implications- adjacent, and higher than, adjoining listed buildings and the site would (to a lesser degree) impact upon the setting and appearance of the Grade 1 listed Church"

We are amazed by how vague and generalised the landscape assessment of this site is within this Report. Whilst the site is within the National Landscape, there is no recognition of any other relevant factors, such as site containment, and reference to how the visibility of the site in the context of the National Landscape is completely misleading. In fact, whilst there is a gentle slope across the site, the site is in fact well contained and is not a site with high visibility from other parts of the village or wider National Landscape. Our view is that a very broad and generalised conclusion has been included in the Report without a proper assessment being undertaken. Simply being located within a National Landscape does not support a quick conclusion that a site is simply unsuitable. The council's weak position on this is demonstrated by the fact that they have already identified a site for allocation in the village (brhe_09) which adjoins the National Landscape. The site assessment for that particular site in that instance does go into further detail on how the development of that site could manage the identified impacts, by stating: "Adjoins National Landscape, high landscape value and intervisibility and forms part of the setting, but largely screened from it by mature trees and hedgerow to northern boundary". The same can be said of potential heritage impacts. Whilst the Report correctly makes reference to the local village church, it is completely misleading on the potential impacts on the church which the Report contends would result from the development of the site. There is a complete lack of reference to the fact there are already existing dwellings situated between the site and church to the west, nor any recognition that a site can be planned with careful consideration to heritage constraints. We do not consider the church there would be any material impacts on the church in any case given the immediate context and existing built form of the village. Overall, the Council's assessment of the site in terms of

potential landscape and heritage impacts is poor, and entirely misleading given it does not represent a proper assessment of the site and context on the ground. It completely exaggerates potential impacts, and is too quick to conclude that such impacts would be too great to overcome. This is demonstrated by the inclusion of the following statement in the Report: “The site performs well in terms of accessibility and ecology but landscape and heritage impacts cannot be satisfactorily overcome”. It is completely unreasonable to make such a broad conclusion on the basis of a) a lack of proper assessment of the site in the first place, and b) without the benefit of a draft scheme for officers to reach a conclusion that there are apparently no design and layout solutions which might help to manage any identified risk (of which for the avoidance of doubt we consider to be limited in any case). The site assessment should be prepared again so that it represents a proper and fair assessment of the site. We consider that once the site assessment is undertaken properly that will demonstrate the suitability of the site. The site has very few other constraints given it is located within flood zone 1, and there are no environmental designations or constraints to development. The site benefits from access from Dukes Square, providing onward links into the village. Our view is that Broadhembury is a sustainable location capable of accommodating a slightly higher level of growth than that already proposed through Brhe_09. Indeed, a second allocation in the village would provide more certainty in terms of delivery and market choice. Site Brhe_07 should be reconsidered and included as an additional allocation to provide that extra delivery and choice.

This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review, predominantly to promote the land south of The Vicarage (Brhe_07) as an additional allocation for residential development.

We have outlined why we consider Broadhembury a suitable location for a slightly higher level of growth than that already proposed in the plan, and why the site itself is suitable to be included as a second allocation at the village.

Outside of this, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF. Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification, and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To assist, we have included below our suggested wording for a site allocation for Brhe_07:

Land south of The Vicarage, Broadhembury (Brhe_07) The site is allocated for around 10 homes. This site is sensitive in heritage and landscape terms and careful detailed assessment and design work will be needed to ensure that the design respects the special character of the area. This should incorporate an assessment of appropriate dwelling heights for this historic village and the wider character of the Blackdown Hills. The site should be landscaped to provide boundary screening appropriate to the National Landscape location to conserve and enhance the natural beauty of the site and its wider landscape setting. This should include the provision and appropriate maintenance of additional planting of native species where required. There is an absence of a defined pedestrian access to bus stops/local amenities, so opportunities to enhance this should be addressed through development.

Any application to develop the site must include a study of the impact of development on the setting of the Church, which is a Grade I listed building, and the Conservation Area. Proposals must show how adverse impacts will be avoided and where appropriate impact on these heritage assets will be mitigated.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land south of The Vicarage, Broadhembury (Brhe_07) (omission site), and other draft policies in the plan.

Full name: Lisa Turner

Organisation (where relevant): Blackdown Hills National Landscape

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD12

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Brhe_09

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Still more could be done though in relation to sites and seeking to further the purpose; For example in Broadhembury, Site Brhe_09, an independent report for the parish council considered there had been inconsistent application of judgements of various potential allocation sites and issues around unresolved heritage and landscape impacts. Meanwhile one of the rejected potential allocation sites has secured planning permission for 6 dwellings. Although rejected, and within the National Landscape, there may be less impact overall if there were to be a small additional allocation at same site, instead of Brhe_09 (as it is further away from the historic core of village and limiting the loss of green field sites around the settlement) or a corresponding reduction in number at Brhe 09 on a less impactful site area.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Michael Canham

Organisation (where relevant): Blackdown Hills Parish Network

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD12

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Brhe_09

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Response to Consultation by email (localplan@eastdevon.gov.uk) from: Blackdown Hills Parish Network Green Pastures Bishopswood Somerset TA203RS

Submitted on 26th January 2026 by: *** Personal details have been removed ***

REPRESENTATION: The Blackdown Hills Parish Network is an association of 49 parishes wholly or partially within, or adjacent to, the National Landscape. The Network supports the comments made by Broadhembury Parish Council in response to both the first and second invitations to comment on the draft Local Plan. In particular: 1: the site allocation process has not been positively prepared or justified. Consistent criteria have not been applied to all sites both within and adjacent to the National Landscape - since the preparation of the Plan a rejected site has been granted outline permission. 2: Proper consideration has not been given to the Broadhembury Conservation Area. 3: The District Council has not discharged its statutory duty under LURA24 to 'seek to further the purposes of a Protected Landscape' as a 'responsible Authority'. This qualified active duty has been helpfully defined by Mr Justice Mould (New Forest National Park v Secretary of State 2025). The duty means that a local planning authority

has to decide if development 'promotes' the conservation and enhancement of natural beauty and the Network has seen no evidence that the District Council has engaged in this active process. We believe you have to consider: + if there are viable alternatives (there are because you have approved an alternative rejected site), + what mitigation to the harm caused could be made (your suggestion of a hedge is clearly not adequate mitigation) + how natural beauty could be enhanced by approval (we have seen no evidence that you have engaged in an active process to do this. In fact in response to your own question 'effect on National Landscape?' you have recorded 'none'. For clarity: it is important you understand that the LURA24 statutory duty applies to Plan- making and to actions by 'relevant authorities' which affect the setting of a Protected Landscape.

*** Personal details have been removed ***

Chairman

Blackdown Hills Parish Network (sent from my personal email account because of problems this morning with my official .gov account)

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The Network would urge the District Council to withdraw from consideration all sites in Broadhembury parish, both within or adjacent to the National Landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I can confirm the Network wishes to be represented at Public Enquiry.

Full name: Cllr Bob Nelson

Organisation (where relevant): Broadhembury Parish Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD12

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Brhe_09

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The report's core legal-compliance concern is that the site selection / allocation process fails to demonstrate compliance with the strengthened statutory duty introduced by the Levelling Up and Regeneration Act 2023 (described in the report as a requirement for relevant authorities to "seek to further the purposes" of Protected Landscapes/National Landscapes), including the need for documented evidence showing the duty has been enacted in plan-making and site allocations.

Based on the report, the reasons are:

1. Failure to integrate the strengthened LURA 2023 duty into plan-making/site selection evidence

The report states there is no mention of the duty in the Site Selection Methodology (2024) despite post-dating LURA 2023.

It also states there is no specific consideration of the special qualities of the National Landscape (or Broadhembury’s local expression of those special qualities) within the Broadhembury site assessment.

2. Lack of documented evidence showing how the allocation seeks to further the statutory purposes

The report says there is no clear consideration of how development might “further the purpose of designation” and no differentiation between mitigation and measures that further the purposes.

3. No evidence of alignment with the Blackdown Hills Management Plan objectives/principles/policies for this allocation decision

The report states there is no evidence of how Brhe_09 allocation aligns with Management Plan objectives/principles/policies.

4. Potentially flawed / inconsistent evidence base and reasoning used to justify Brhe_09

The report identifies inconsistencies in sensitivity scoring (e.g., Brhe_09 sensitivity “underestimated” and should be “high” using the matrix).

It also identifies inconsistencies in heritage judgements between sites (e.g., Brhe_05 versus Brhe_09 conclusions).

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally

compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Below are targeted modifications the representation could request, reflecting the report's findings. I've written them in a way you can paste into a representation.

Modification 1 — Add an explicit LURA 2023 “seek to further” requirement to SD12

What to modify: Strategic Policy SD12 (Broadhembury Brhe_09).

Why it makes it legally compliant: The report emphasises that the duty is now active, requires reasonable proportionate steps, and must be evidenced; SD12 currently frames matters largely as mitigation and “careful design”, without requiring demonstration of “seeking to further” statutory purposes.

Modification 2 — Require the “furthering” analysis at allocation stage (plan-making), not deferred to application

What to modify: The supporting text to SD12 and/or the site allocation evidence requirements.

Why it makes it legally compliant: The report argues that key impacts (especially on heritage setting and landscape) should be determined prior to allocation, and criticises the absence of evidence showing how the allocation itself meets the duty.

Modification 3 — If the above cannot be evidenced, delete or replace the allocation

What to modify: Remove Brhe_09 from SD12 allocations or replace with a bespoke dispersed/windfall strategy for Broadhembury.

Why it makes it legally compliant: The report concludes allocation of Brhe_09 is likely contrary to Management Plan policy/guidance and questions whether it can “seek to

further” statutory purpose at all; it suggests a bespoke dispersed strategy with windfalls supported by detailed assessment.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The report concludes the allocation risks undermining soundness because:

- it is based on inconsistent/biased site selection judgements;
- Brhe_09 sensitivity is underestimated and should be high;
- mitigation measures in SD12 are described as conceptually appropriate but unlikely to be achievable in practice, raising deliverability concerns and “misleading expectation of developability”.

Using the NPPF soundness themes (Justified / Effective / Consistent with national policy), the report supports the following unsoundness points:

A) Not justified (reasonable alternatives / proportionate evidence)

- The report identifies inconsistencies and an apparent bias leading to selection of Brhe_09 as preferred allocation.
- It argues that, using the sensitivity matrix properly, Brhe_09 should be “high” sensitivity and is the most susceptible, undermining the justification for choosing it.
- It also critiques “value” scoring that appears to rely mainly on the site lying outside the designation boundary, without a nuanced valued-landscape assessment.

B) Not effective (deliverability / realistic mitigation)

- The report states that achieving SD12-style mitigation (screening, design to preserve spaciousness, retain enclosure patterns, protect views, maintain rural approaches and dark skies) is highly unlikely for up to 10 dwellings on Brhe_09.
- It highlights a tension between SD12’s desire for pedestrian improvements and the valued character of unlit, path-less rural lanes, making “enhancements” potentially harmful to special qualities.
- It concludes the site is “unlikely to be deliverable” and risks a “misleading expectation of developability.”

C) Not consistent with national policy / statutory context (Protected Landscape duties)

- The report says the process does not evidence how allocation aligns with the duty to seek to further Protected Landscape purposes and does not reference special qualities/Management Plan policies in a meaningful way.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Option 1 (Preferred):

Delete Brhe_09 and replace with a dispersed strategy Why sound: Addresses justification and effectiveness by avoiding an allocation considered highly sensitive/poorly evidenced and adopting the report's recommended strategy.

Option 2: Retain Brhe_09 but strengthen SD12 so the allocation is demonstrably deliverable and evidenced Why sound: Attempts to fix effectiveness and justification problems by front-loading assessment and tightening criteria. Key additions (drawing directly from report concerns):

- Require a site-specific Landscape/Heritage evidence package before allocation is confirmed (not deferred).
- Require retention of key views (church tower approaches), indented vegetated edge, small enclosure pattern, and dark skies, with measurable design requirements.
- Replace vague "opportunities to enhance pedestrian access" with a requirement that any measures must not suburbanise rural lanes (no standard kerbs/lighting unless clearly justified and designed to conserve tranquillity). This responds to the report's lane character concern.

Full name: Jan Keeling

Organisation (where relevant): Broadhembury Parish Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD12

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Brhe_09

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: On behalf of Broadhembury Parish Council.

Broadhembury Parish Council has commissioned an independent consulting report to determine whether your site selection process has been carried out in a systematic and consistent way, and whether you have complied with the law relating to Protected Landscapes. The report is attached and it forms the detail of our submission to the Planning Inspectorate. It elaborates on our submission to you in March 2025 in response to your first consultation and is consistent with our first comments to your department in 2023.

In summary, the report documents that sites have been reviewed in an inconsistent and 'apparently biased' way and that your legal duty to further the purposes of a Protected Landscape as enacted in LURA (23) has not been observed and complied with. The Broadhembury Parish Council believes that these points go way beyond any question of the plan's 'soundness'; if found to be substantial at Inquiry than they risk placing your Authority in legal jeopardy.

I would emphasise that since the drafting of the various documents which contribute to your plan, your department has approved for Outline Permission, the alternative site

which you discard in your Local Plan assessment. This is also the site preferred by the Parish Council. It is the one which will cause the least harm to the Protected Landscape and where mitigation can be most effectively designed.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We would urge you to give personal and serious consideration to the points made in the report and reconsider the site allocation proposal in the Local Plan for Broadhembury as a result. If you are unable to do this we shall pursue our arguments at Public Inquiry and, since we believe a point of law is at stake, we shall pursue the argument beyond if unable to persuade the Inspector of the merits of our case.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

SD13

Full name: Laura Polley

Organisation (where relevant): Greenslade Taylor Hunt

Other party name (if relevant): Summerfield Homes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD13

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Char_04a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The legal compliance concerns raised by the submitted representation (Summerfield Homes) are: (1) Wrong national policy basis applied at plan-making stage

The letter argues the Council should not rely on the previous NPPF iteration and should instead prepare/examine the Local Plan in accordance with the December 2024 NPPF (and associated housing need calculation approach), because the Second Reg 19 changes are so substantial they amount to a “whole new Regulation 19 document”).

(2) The “Second Reg 19” consultation is said to be a new Reg 19, triggering PPG treatment

The letter cites PPG para 86 (Reference ID 61 086 20250616) and argues that where the content changes significantly, the plan may be treated as having reached Regulation 19 at the later consultation date; consequently, the plan should be progressed under the newer framework.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Correct the plan-making basis for national policy (NPPF)

What to change: The Council's approach to the applicable NPPF version for examination (and associated evidence/requirements).

Why: The representation contends that the extent of changes at Second Reg 19 means the plan should be prepared/examined against the December 2024 NPPF, not the earlier version relied upon for the first Reg 19 stage.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Highways / transport support

- The Highway and Transport Review concludes the site is in a sustainable location with key local services (shop, school, hall) within short walking distance and public transport access in the wider vicinity.
- It proposes an access arrangement with a 5.5m access width and visibility splays designed for the 20mph context, and notes no injury collisions in the vicinity within the reviewed period.
- The forecast vehicle trips for around 30 dwellings are described as low (c. 15 two-way trips in AM peak and 14 two-way trips in PM peak; 129 two-way over 12 hours), and the report states impacts would be negligible and acceptable.

Landscape / visual support

- The Landscape Visual Baseline states the site is not within a landscape designation, but lies close to the Blackdown Hills National Landscape, with the National Landscape abutting Chardstock to the north/west.
- The baseline findings indicate views are often limited by existing vegetation and built form; where glimpses occur (including from PRow/bridleways within the National Landscape), mitigation is identified through boundary enhancement and structural planting.
- The report concludes the site would be “deemed suitable for accommodating development” provided mitigation measures are incorporated to assimilate the development into its context.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Modification 1 — Amend SD13 PRow requirement (clarify or remove)

Issue: The updated SD13 wording is said to be ambiguous and potentially threatens deliverability by requiring a connection to PRow Chardstock Footpath 30 without clarifying where. The letter explains that if the intended connection is at a point where Green Lane is not adopted highway / is unregistered land, it could jeopardise deliverability.

Requested change (as stated in the letter):

- Either remove the requirement to connect to Footpath 30
- Or amend the policy to clarify the precise point of connection and provide planning

Modification 2 — Extend the allocation boundary to include the northern parcel (without increasing dwelling numbers)

Issue: The letter maintains that the adjoining land parcel to the north (also under option) should be included to enable a higher quality scheme, with lower density, enhanced landscaping, public open space, and stronger integration with local character—while retaining around 30 dwellings.

Why this supports soundness: It strengthens effectiveness/deliverability and design/landscape integration, consistent with the landscape strategy principles described in the Landscape Visual Baseline (structural planting, GI breaks, strategic landscaping, SuDS, open space).

SD15

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD15

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Dunk_05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Dunk_05: 43 new homes inside NL at Dunkeswell • SD16: 16 new homes at East Budleigh - again, inside the NL. Most, if not all, of these sites cannot be justified as exceptional circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

SD16

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD16

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Ebud_01

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • SD16: 16 new homes at East Budleigh - again, inside the NL. Most, if not all, of these sites cannot be justified as exceptional circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Ian Smith

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD16

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Ebud_01

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

1. Failure to select the “most appropriate” site using robust, evidence based reasoning
Local Plan Strategic Policy AR01 requires that there be no preferable location to
Ebud_01. The representation argues this test has not been met because Collins Park is
demonstrably safer and more sustainable.

2. Inadequate consideration of safety and sustainable access (Objectives 1, 9 and 11)

- Pedestrian access from Ebud_01 requires crossing the dangerous B3178 near Rolle Arms on an unpaved stretch.

- Access onto narrow Frogmore Road, much used by walkers/cyclists, conflicts with Objective 9 (walking & cycling priority).

- Sight lines and parked vehicles create hazards. The Plan must demonstrate these risks were assessed properly at allocation stage.

3. Failure to properly assess environmental constraints and landscape policy conflicts

- Ebud_01 lies on Grade 1 agricultural land, used for grazing.

- Parts of the area fall within or adjacent to National Landscape and near a Nature Reserve.

- Development would harm views from the Otter Valley and conflict with Strategic Policies OL01 (Landscape Features) and OL02 (National Landscapes). If these were not fully considered, legal compliance is at risk.

4. Failure to consider flood risk appropriately

- Frogmore Road “periodically becomes impassable” due to flooding and abuts Flood Zone 3.
- Collins Park has “negligible” flood risk. If flood implications were not fully tested, the Plan may not comply with statutory flooding requirements.

5. Failure to reflect relevant planning history The representation describes past applications where only very small scale development was considered acceptable, due to:

- Landscape sensitivity
- Grade 1 agricultural land
- Visual/amenity impact concerns The Local Plan must explain how these issues have now been overcome.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Modification 1 — Reassess site options to demonstrate compliance with Policy AR01 Undertake a transparent reassessment comparing Ebud_01 with Collins Park, using:

- pedestrian safety
- vehicle access
- flood risk
- landscape impact
- agricultural land quality
- alignment with Local Plan Objectives 1, 8, 9, 11 Why: Policy AR01 requires that allocated sites be shown to be the least constrained and most appropriate. Evidence provided demonstrates Collins Park is preferable.

Modification 2 — Consider reallocating the housing site from Ebud_01 to Collins Park Why:

- Safer pedestrian access via existing footpath and Middletown Lane (restricted to vehicles).

- Better vehicular access with long straight sight lines on B3178.
- Negligible flood risk.
- Lower agricultural quality and historically limited farming use.
- Less landscape impact due to existing screening.

Modification 3 — If Ebud_01 is retained, require full mitigation evidence at allocation stage Include requirements for:

- safe pedestrian crossings
- safe vehicular access without harming Frogmore Road's amenity
- measures to protect the Otter Valley views
- landscape screening compliant with OL01 and OL02
- flood mitigation appropriate for an area near Flood Zone 3 Why: Without these, the allocation would not be legally robust.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

1. Not justified (reasonable alternatives not properly assessed) The representation shows that Collins Park is:

- safer
- better connected
- less constrained by landscape policy
- not on Grade 1 land
- not at risk of flooding

Yet it was rejected for reasons the representation challenges.

2. Not effective (allocation unlikely to be deliverable without unacceptable impacts) Issues include:

- Dangerous pedestrian access across B3178
- Hazardous vehicle access onto Frogmore Road

- Visual/amenity harm due to slope and proximity to housing
- Difficulty in screening impact on National Landscape and views

3. Not consistent with policies OL01, OL02, Objectives 1, 8, 9 and 11 These require:

- protecting landscape character
- conserving National Landscape
- promoting healthy, safe communities
- supporting walking/cycling
- supporting village facilities The representation demonstrates Ebud_01 performs poorly, while Collins Park performs well.

4. Planning history contradicts suitability of Ebud_01 Previous approvals were granted only because the development was extremely small scale, and even then generated significant opposition.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Modification 1 —

Allocate Collins Park instead of Ebud_01 This reflects the representation's core evidence:

- far safer pedestrian and vehicle access
- better landscape fit
- negligible flood risk
- avoids loss of Grade 1 agricultural land

Modification 2 — Re evaluate Ebud_01 with full constraints analysis If retained, require:

- crossing improvements at B3178
- redesigned vehicle access avoiding Frogmore Road
- mitigation for harm to Otter Valley views

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- agricultural land assessment justifying loss
- flood risk assessment

Modification 3 — Include policy wording prioritising safe and sustainable movement

Add: “Development must deliver safe pedestrian access to facilities without requiring users to cross the B3178 at unsafe locations.” (Reflects Objective 1, 9, 11).

SD17

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD17

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure a coordinated approach, DCC requests that an additional paragraph be added to the text relating to this policy as follows: “Development will need to come forward on the basis of an agreed coordinated access strategy for both allocations at Exton that maximises the opportunities and minimises the potential adverse impacts of development in relation to transport.”

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD17

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Wood_28

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: We continue to support Strategic Policy SD17 and specifically the proposed allocation of the Land north and east of Exton Farm (Wood_28). We outlined in our representations to the first Regulation 19 consultation why we consider Exton to be an entirely suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. We continue to maintain that the proposed allocation of Wood_28 for the development of 39 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village. In terms of the draft allocation wording itself, we note that the draft allocation text has been amended from that included within the first Regulation 19 consultation draft, and now reads: Land north and east of Exton Farm (Wood_28) The site is allocated for around 39 dwellings. Development will need to provide safe and suitable pedestrian and cycle access along Mill Lane south to the existing pedestrian crossing at the A376/Station Road junction, to enable easy access to facilities in the settlement. This pedestrian crossing should be upgraded to accommodate cyclists, to enable access to the Exe Estuary Trail via Station Road. Development should provide pedestrian/cycle links to Wood_01 adjacent to the north - west. Development should include tree planting on the southern field to reflect their historic presence; and retain the hedgerow that dissects the site, as far as practically possible. Development should address the existing flooding issues along Mill Lane. The

south-west corner of Wood_28 is within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre, within which inhabited buildings must be deemed as ‘non vulnerable’ structures that are of a robust design and construction to the satisfaction of the Ministry of Defence. Anyone preparing a planning application at or for this allocation site should consult with the Ministry of Defence with whom the local planning authority will also engage with in respect of determination of any planning application. January 2026 7 The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. We do not have any concerns about the request to engage with the MOD as part of a future planning application. We understand their interests given a small part of the site falls within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre. However, we do question the specific reference to the need for the provision of open space in the northern part of the site in order to “conserve and enhance the rural setting grade II* listed Exton Farmhouse”. The farmhouse is situated to the west of the site and the most sensitive part of the site would be the north west corner where there may be visibility to and from the listed farmhouse. In our view it is only this north western part of the site which is likely to be more sensitive, so we do not agree with the inclusion of the broad requirement for the provision of open space in the ‘northern part of the site. For example, the north and north eastern parts of the draft allocation could easily be developed through sensitive design and layout work to ensure that any impacts on the nearby listed farmhouse are limited. Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. Overall, the land north and east of Exton Farm remains a strong candidate for allocation in the emerging Local Plan Review. The site is available and very much capable of accommodating the 39 new homes proposed in draft Policy Wood_28, including a policy compliant level of affordable housing.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We continue to support Strategic Policy SD17 and specifically the proposed allocation of the Land north and east of Exton Farm (Wood_28). We outlined in our representations to the first Regulation 19 consultation why we consider Exton to be an entirely suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. We continue to maintain that the proposed allocation of Wood_28 for the development of 39 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village. In terms of the draft allocation wording itself, we note that the draft allocation text has been amended from that included within the first Regulation 19 consultation draft, and now reads: Land north and east of Exton Farm (Wood_28) The site is allocated for around 39 dwellings. Development will need to provide safe and suitable pedestrian and cycle access along Mill Lane south to the existing pedestrian crossing at the A376/Station Road junction, to enable easy access to facilities in the settlement. This pedestrian crossing should be upgraded to accommodate cyclists, to enable access to the Exe Estuary Trail via Station Road. Development should provide pedestrian/cycle links to Wood_01 adjacent to the north -west. Development should include tree planting on the southern field to reflect their historic presence; and retain the hedgerow that dissects the site, as far as practically possible. Development should address the existing flooding issues along Mill Lane. The south-west corner of Wood_28 is within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre, within which inhabited buildings must be deemed as 'non vulnerable' structures that are of a robust design and construction to the satisfaction of the Ministry of Defence. Anyone preparing a planning application at or for this allocation site should consult with the Ministry of Defence with whom the local planning authority will also engage with in respect of determination of any planning application. January 2026 7 The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the northern part of the site. Flood

mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. We do not have any concerns about the request to engage with the MOD as part of a future planning application. We understand their interests given a small part of the site falls within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre. However, we do question the specific reference to the need for the provision of open space in the northern part of the site in order to “conserve and enhance the rural setting grade II* listed Exton Farmhouse”. The farmhouse is situated to the west of the site and the most sensitive part of the site would be the north west corner where there may be visibility to and from the listed farmhouse. In our view it is only this north western part of the site which is likely to be more sensitive, so we do not agree with the inclusion of the broad requirement for the provision of open space in the ‘northern part of the site. For example, the north and north eastern parts of the draft allocation could easily be developed through sensitive design and layout work to ensure that any impacts on the nearby listed farmhouse are limited. Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. Overall, the land north and east of Exton Farm remains a strong candidate for allocation in the emerging Local Plan Review. The site is available and very much capable of accommodating the 39 new homes proposed in draft Policy Wood_28, including a policy compliant level of affordable housing.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD17

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Wood_28

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text requiring that the design and layout of development should conserve and enhance the rural setting of grade II* listed Exton Farmhouse, including through the provision of public open space in the northern part of the site.

However, it is unclear whether the stated capacity of 39 homes is achievable on this site with the recommended mitigation and we therefore request that a concept plan is provided to justify the site allocation and that, if necessary, the site capacity is reduced accordingly.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We request a concept plan to justify the proposed capacity for the site allocation and that, if necessary, the capacity is reduced accordingly.

SD18

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Feni_05, Feni_08

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To clarify requirements, DCC requests that an additional paragraph be added to the text relating to the Feni_05 and Feni_08 allocations as follows: “The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes.”

Full name: Olly Ansell

Organisation (where relevant): Grassroots Planning

Other party name (if relevant): South West Strategic Developments Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

Full name: Olly Ansell

Organisation (where relevant): Grassroots Planning

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Feni_08

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We write on behalf of South West Strategic Developments Limited in relation to the Second Regulation 19 version of the East Devon Local Plan and the proposed allocation at Land Adjacent to Beechwood, Feniton (ref. Feni_08). We have reviewed the updated Local Plan and tracked changes and confirm that we continue to support the emerging Local Plan, including the Spatial Strategy and the continued allocation of Land Adjacent to Beechwood, Feniton for residential development. Our previous Regulation 19 representations set out in detail our support for the allocation, the sustainability of the site, and its availability and deliverability. Those representations remain valid and should be read alongside this submission. We note that the revisions to the Regulation 19 Plan do not materially alter the policy approach to Feniton or the role of the site within the spatial strategy. Since the submission of the previous representations, an outline planning application has been submitted in respect of the site. All consultee comments raised to date have been addressed through the application process, and the proposals are progressing positively. The application is to be reported to Planning Committee on the 27th Jan 2026, further demonstrating the site's deliverability and suitability to underpin its allocation through the Local Plan examination. Accordingly, we welcome the Council's decision to maintain the allocation and confirm our continued support for the Plan progressing to examination on this basis.

Full name: Miles Butler

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Feni_05, Feni_08

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Site Feni 11 (Land East of Colestocks Road) is not referred to in the Local Plan site allocations for Feniton. Consent for housing has been granted at appeal following the District Council's failure to determine the original application and logically it should be included in the local plan. It has no different status to Feni 05, Burlands Mead which also has planning consent and which contributes to the local plan housing figures. The inclusion of Feni 11 would significantly increase the stated level of housing provision being made in Feniton in the plan period. There is no legal case for treating Feni 11 any differently to Feni 05.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Identify Feni 11 as a housing allocation in the Local Plan.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The draft local plan allocated only sites Feni 05 Burlands Mead (42 dwellings) and Feni 08 Beechwood (60 dwellings). This reflected the plan's strategy to provide for limited development in the Tier 4 Service Villages sufficient to meet local need. Given that Feni

11 Colestocks Rd has now been granted consent for 85 dwellings, which will be delivered in the plan period, there is no justification for also including Feni 08 Beechwood. The total allocation in Feniton is now out of line with the plan's spatial strategy of only limited development in tier 4 settlements to meet local need.

Full name: Christopher Dyson

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Feni_05, Feni_08

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Planning permission has recently been granted to Application Ref 24/0431/MOUT for 86 dwellings and this application, Feni 11, needs to be taken into account before the Plan is approved.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Remove Feni 08 from the application, 60 houses, replace with Feni 11.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The draft local plan allocated ONLY sites Feni 05 and Feni 08 (102 dwellings). Although local residents would say this is too much, it was intended to reflect the plans strategy to provide LIMITED development to a tier 4 service village sufficient to meet the local need. Now that Feni 11 has been granted consent for a further 85 dwellings, agreed at appeal not by EDDC, there is NO justification for continuing to include Feni 08 within the plan. Had Feni 11 been included initially included Feni 08 would never have been agreed as it takes the total allocation for Feniton now out of line with the plans spatial strategy of only limited development in tier 4 settlements.

Full name: James Forbes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Feni_08

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Planning permission has recently been granted to Application Ref 24/0431/MOUT for 86 dwellings with access from Colestock Road. This should be taken into account in deciding the policy for Feniton.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The site reference Feni_08 should be removed from Strategic Policy SD18 and the site for Application Ref 24/0431/MOUT included instead.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: It does not include the site for Application Ref 24/0431/MOUT

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the

relevant policy or paragraph. Please be as precise as possible.: The site reference Feni_08 should be removed from Strategic Policy SD18 and the site for Application Ref 24/0431/MOUT included instead.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Pamela Rink

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: Feni 08, Feni 11, Feni 05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Permission has been given via the inspectorate for Application ref 24/0431/MOUT for 86 dwellings (Feni 11). This needs to be taken into consideration before the Local Plan is approved. If consideration is not given to this, the policy for tier 4 villages has been ignored, allowing an unreasonable and unsustainable increase in development to take place.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Feni 08 (60 dwellings) should be removed and Feni 11 added.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The inclusion of Feni 05 and Feni 08 - a total of 102 houses - reflected the strategy to allow limited development sufficient to meet local need. The approval of Feni 11 has increased the number of houses to far in excess of this (123), thus there is no justification for continuing to include Feni 08 within the plan. Its continued inclusion makes the allocation for Feniton contrary to the plan's special strategy for tier 4 villages.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove Feni 08

Full name: Martyn Smith

Organisation (where relevant): Feniton Parish Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Feni_08

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Policy for tier 4 villages has not been adhered to allowing a huge, unreasonable increase in development, where policy is to keep it to moderate development.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

24/0431/mout has not been included in the numbers, even though it was allowed on appeal. Feni- 08 should be removed, to allow the numbers to be reduced.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Development at Colestocks Road, although allowed on appeal, has not been included, making the total numbers unacceptably and contrary to special strategy

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove FENI 08

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The whole issue within Feniton is complex and would be difficult to put over in writing. It is also viewed as a very important issue by the residents in the village

SD19

Full name: Phillippa Gatehouse

Organisation (where relevant): C G Fry & Son Ltd

Other party name (if relevant): Mr & Mrs Cowling

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD19

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Hawk_01

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

While C G Fry & Son remain supportive of the principle of the allocation of the site for development, it is disappointing given the availability, suitability and deliverability of the wider site (refer to Appendix B), that there have been no alterations to the extent of the site allocation since the first regulation 19 consultation. As such, and for reasons set out in the Regulation 19 stage 1 representation, C G Fry & Son maintain that Policy SD19 is not justified. The site has capacity to deliver up to 38 dwellings, including a mix of affordable homes. The wider site is both;

- Suitable, available and deliverable
- Consistent with the objectives of the emerging local plan
- Well-related to the existing built form of the settlement
- Capable of contributing to identified housing needs, including affordable housing.

C G Fry & Son are cognisant of the need to bring forward a design that respects the local character, integrates with the existing settlement and seeks to deliver green

infrastructure alongside biodiversity enhancements. The wider site would provide development that accords with the aims and objectives of the emerging local plan, seeking to provide development which is ‘balanced, sustainable and beneficial to our communities’. Additional wording has been included to policy SD19 requiring a contamination assessment to be provided as part of any planning application. C G Fry & Son consider this to be superfluous given that this requirement is clearly set out within the East Devon’s validation checklist and similarly repeats paragraph 196 of the NPPF resulting in unnecessary duplication of policy. This inclusion of this additional wording clearly demonstrates that there is understanding of potential contamination on site and need for remediation measures. The significant upfront costs associated with such works have not however been accounted for in policy.

SD20

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD20

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Kilm_05

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Previously Developed or Brownfield Land An appeal decision for this site from March 2020 concluded that the site is a brownfield site, and factors of perceived neglect are not uncommon with many brownfield sites. Nevertheless, the NPPF acknowledges the significant role of brownfield sites to meet housing need and encourages development of these sites, with Paragraph 123 stating that: “Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”. We consider that appropriate weight has not been given to the site’s status as previously developed land in the site assessment for Kilm_05.

Environmental Considerations Ecological matters have never been cited as reasons to refuse planning permission on this site. Furthermore, both preferred allocation options in Kilminster would be caught by both Nutrient Neutrality and mandatory Biodiversity Net Gain requirements which would limit their deliverability and site yield. As Pit Orchard already benefits from an extant planning consent, development would not be subject to the same restrictions either through implementation of the current consent or a variation thereto. CONCLUSION Fundamentally, the reason given by EDDC for not

allocating Kilm_05 is inconsistent with assessments of the site undertaken by officers in determining the previous planning applications on the site. The conclusion that development of the site will create visual impact on the wider parts of the National Landscape overlooks documented evidence contained within the extensive planning history of the site. For example, the description of the site and the ability to develop the site under the extant planning consent are not considered in the EDDC site assessment. Moreover, there is no reference in the EDDC site assessment to Kilm_05 being a brownfield site. This is surprising as the NPPF clearly favours the use of brownfield land for the development of new homes which is a key component in the core theme of 'making effective use of land'. It is considered that much greater weight should be afforded to this status. In the context of the Framework and other material considerations, aspects of the Draft Plan appear inconsistent with these, and sufficient justification is not provided to demonstrate that the housing trajectory is robust, particularly when considering the approach for windfall sites. In the event that additional housing sites are required to meet the identified housing needs of the District, the site is in a prime position to accommodate a modest level of growth. Development of the site is shown to provide very limited impact on heritage assets and areas of landscape importance and is located in a sustainable location with good access to local services and facilities as confirmed by the decision of EDDC in granting permission for residential development of the site in April 2016. Finally, the site is deliverable in BNG and nutrient neutrality terms by virtue of the extant consent. These characteristics put the site head and shoulders above any other site in the village and in our opinion make it a logical and essential choice for allocation.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Mr and Mrs Hansford

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD20

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Kilm_05

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

CarneySweeney acts for Mr and Mrs Hansford, in connection with land at Pit Orchard, Bim Bom Lane, Kilmington which our client has been seeking to promote for open market led housing development through the draft East Devon Local Plan.

CarneySweeney submits the following representations on behalf of our clients which are to be read in conjunction with previous representations submitted to the Regulation 19 Publication draft in March 2025 (Reg 19 Rep) which are appended in full. We maintain that our client's site is a suitable and appropriate location for new development and with the benefit of the extant consent for 6 new homes, is capable of coming forward early in the plan period to deliver a modest but nonetheless important level of new housing. The Council's continued failure to allocate the site is not justified in light of the previous planning history and additional submissions made in support of the allocation. It is also noted that since our previous representation no applications have come forward on the two sites allocated in the made neighbourhood plan or the two sites proposed to be allocated in the draft LP. Once again, we write to confirm that a series of inaccuracies have arisen within reporting of this site by the Council hat has led to the site not being considered for allocation for market-led residential development. The characteristics of the site, and its location, inform its development potential and its omission from the Draft Local Plan is unjustified. The Site and Surroundings The site – shown below - extends to 0.56ha and is located to the south of Kilmington. The site fronts on to Bimbom Lane from which access is taken:

Topographically, the lane is lower than the surrounding landscape, with the exception of a narrow band of land already developed for housing to the north that runs east to west along a section of Silver Street and Silver Lea. The site largely consists of scrubland with the central part of the site already been cleared and an access road constructed up to base course level in connection with an existing planning consent. The site also includes narrow but steep banks in the south west, south and east with heavily planted mature trees positioned at the top of the slope. The northern boundary consists of a low bank topped with a mature hedgerow and trees. The topographical nature of the site and the presence of a band of heavily planted mature trees around the boundary, with the exception of the point of access, means that the views out of the site are very limited. The level central part of the site falls away from Bimbom Lane meaning that the site is not visible in any views from the east. At this location, Bimbom Lane acts as a small ridge with it being the local high point for views from the east coming from other areas of Kilminster, and Axminster beyond. In addition to the topography of the site, a strong mature Devon hedgebank on the east side of Bimbom Lane prevents any views towards the site from the east, as demonstrated in Photograph 3 of this report. Kilminster itself is a village with a population of just under 1,000, situated south of the A35. Kilminster has a good range of community facilities including a church, primary school, pub, petrol station, farm shop and cricket pavilion with bus services available to the larger settlements of Honiton and Axminster. These factors contribute to Kilminster being able to accommodate suitable levels of development.

Planning History The site has a relatively extensive planning history and benefits from an extant planning consent (ref: 15/1746/OUT and 16/1586/RES) for 6 residential dwellings. The planning consent is for an affordable housing led development, therefore, there is a recognition that residential development can be accommodated at the site. Correspondence received from East Devon District Council by email dated 15th May 2018 states that “the development has begun within the requisite time period established” and consequently, it can be said with confidence that the principle of residential development of this site has been established and secured. In granting consent for the proposal for 6 residential dwellings, the Council concluded that “the benefits of the scheme are considered to outweigh any harm”. In relation to character and appearance, it was determined that the “site would be apparent from localised views... such views as would be afforded would though be localised only and although likely to have a slight negative impact this could be minimised through the use of appropriate design and materials”. Furthermore, landscape impact was considered to be “limited”.

Subsequently, two more detailed planning applications have been submitted to EDDC for residential development (19/0077/FUL and 20/0435/FUL) with both being refused. The former was dismissed at appeal in March 2020, yet raises pertinent points regarding the development prospects of the site. Notably, in coming to their decision, the Inspector concluded that the development would “utilise a brownfield site which is encouraged by the Framework”, suggesting that weight should be added to the re-use of the site for residential development. Notable in its absence, was any discussion around landscape impact, particularly of interest as the site is within the AONB suggesting that landscape impact was not fundamental to the case for refusal. The latter application provided new commentary on landscape impact, stating that “the impact of the development on visual receptors is likely to be negligible in most views although the visual impact on residents and pedestrians from Silver Street is likely to be moderate adverse during construction and on completion reducing to low as new perimeter planting matures”. These recent applications demonstrate that development would give rise to very limited landscape harm. The fact remains that the site has secured a consent for 6 dwellings which has been lawfully commenced through the creation of the access road and remains capable of implementation in full.

Policy Context for Plan-Making Provisions for plan-making are set out within the NPPF and NPPG. Plan makers are required to take account of the following points when preparing their Local Plan. Under the transitional arrangements of the December 2024 NPPF, the new Local Plan will be considered under the provisions of the December 2023 NPPF. National Planning Policy Framework (December 2023)

- Paragraph 31 states that “The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be ...focussed tightly on supporting and justifying the policies concerned and take account of relevant market signals.”
- Paragraph 35 identifies the tests of soundness as being: a) Positively prepared: As a minimum, seeking to meet the area’s objectively assessed needs and informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with sustainable development. b) Justified: An appropriate strategy based on taking account of reasonable alternatives and proportionate evidence. c) Effective: Deliverable, based on effective joint working on cross-boundary strategic matters, evidenced in a Statement of Common Ground. d) Consistent with national policy. Previously Developed or Brownfield Land An appeal decision for this site from March 2020 concluded that the site is a brownfield site, and factors of perceived neglect are not uncommon with many brownfield sites. Nevertheless, the NPPF acknowledges the significant role of brownfield sites to meet housing need and encourages development of these sites, with

Paragraph 123 stating that: “Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”. We consider that appropriate weight has not been given to the site’s status as previously developed land in the site assessment for Kilm_05.

Environmental Considerations Ecological matters have never been cited as reasons to refuse planning permission on this site. Furthermore, both preferred allocation options in Kilminster would be caught by both Nutrient Neutrality and mandatory Biodiversity Net Gain requirements which would limit their deliverability and site yield. As Pit Orchard already benefits from an extant planning consent, development would not be subject to the same restrictions either through implementation of the current consent or a variation thereto. CONCLUSION Fundamentally, the reason given by EDDC for not allocating Kilm_05 is inconsistent with assessments of the site undertaken by officers in determining the previous planning applications on the site. The conclusion that development of the site will create visual impact on the wider parts of the National Landscape overlooks documented evidence contained within the extensive planning history of the site. For example, the description of the site and the ability to develop the site under the extant planning consent are not considered in the EDDC site assessment. Moreover, there is no reference in the EDDC site assessment to Kilm_05 being a brownfield site. This is surprising as the NPPF clearly favours the use of brownfield land for the development of new homes which is a key component in the core theme of ‘making effective use of land’. It is considered that much greater weight should be afforded to this status. In the context of the Framework and other material considerations, aspects of the Draft Plan appear inconsistent with these, and sufficient justification is not provided to demonstrate that the housing trajectory is robust, particularly when considering the approach for windfall sites. In the event that additional housing sites are required to meet the identified housing needs of the District, the site is in a prime position to accommodate a modest level of growth. Development of the site is shown to provide very limited impact on heritage assets and areas of landscape importance and is located in a sustainable location with good access to local services and facilities as confirmed by the decision of EDDC in granting permission for residential development of the site in April 2016. Finally, the site is deliverable in BNG and nutrient neutrality terms by virtue of the extant consent. These characteristics put the site head and shoulders above any other site in the village and in our opinion make it a logical and essential choice for allocation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We maintain that the site should be allocated for development under Strategic Policy SD20: Development allocations at Kilminster.

Full name: Lucy White

Organisation (where relevant): Lucy White Planning Limited

Other party name (if relevant): Place Land Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD20

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Kilm_09b, Kilm_10

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

These comments should be read in conjunction with Place Land Limited's representations on this policy at the first phase of the Regulation 19 plan. We object to the revised wording regarding careful design to conserve and enhance the natural beauty of the site. The NPPF (2024) requires planning policies to contribute towards and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside (paragraph 187). Great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (paragraph 189). These policy requirements recognise the need to identify features of particular character and beauty, which are intrinsic to the value of the protected landscape. A policy requirement to conserve and enhance the natural beauty of the site introduces a local policy requirement which is inconsistent with national policy. To conserve and enhance the natural beauty of the site could go beyond the national policy requirement and impose an onerous requirement on the site allocation which could unduly restrict development. As drafted, the wording is not consistent with the NPPF and could prove ineffective in respect of the delivery of this housing allocation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The policy should be amended to comply with national policy as follows: “The site is in the East Devon National Landscape and requires careful design to conserve and enhance the natural beauty of the protected landscape.

Full name: Lucy White

Organisation (where relevant): Lucy White Planning Limited

Other party name (if relevant): Place Land Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD20

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Kilm_09b, Kilm_10

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

These comments should be read in conjunction with Place Land Limited's representations on this policy at the first phase of the Regulation 19 plan. We object to the revised wording regarding careful design to conserve and enhance the natural beauty of the site. The NPPF (2024) requires planning policies to contribute towards and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside (paragraph 187). Great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (paragraph 189). These policy requirements recognise the need to identify features of particular character and beauty, which are intrinsic to the value of the protected landscape. A policy requirement to conserve and enhance the natural beauty of the site introduces a local policy requirement which is inconsistent with national policy. To conserve and enhance the natural beauty of the site could go beyond the national policy requirement and impose an onerous requirement on the site allocation which could unduly restrict development. As drafted, the wording is not consistent with the NPPF and could prove ineffective in respect of the delivery of this housing allocation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The policy should be amended to comply with national policy as follows: “The site is in the East Devon National Landscape and requires careful design to conserve and enhance the natural beauty of the protected landscape.

Full name: Lucy White

Organisation (where relevant): Lucy White Planning Limited

Other party name (if relevant): Place Land Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD20

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Kilm_09b

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See attached representations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See attached representations

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: As promoters of the land East of George Lane,

Kilminster, Place Land Ltd wishes to participate in the hearing sessions relating to the site allocation to address any issues regarding the proposed allocation.

Full name: Lucy White

Other party name (if relevant): Place Land Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD20

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Kilm_09b

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See attached representations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See attached representations.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: As promoter of land East of George Lane, Place Land Ltd welcomes the opportunity to participate in any hearing sessions regarding the site allocation policy.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD20

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Kilm_09b

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional text to this policy, both to ensure retention of adequate parking for the listed pub and in relation to its setting.

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

However we recommend additional adjustments to ensure that this is clear, justified and consistent with national policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This suggested adjustment to the policy working takes the amended text as a starting point:

Text to be deleted in curly brackets {} and text to be added in square brackets [] “A sensitively designed scheme will also be essential to avoid potential for adverse impacts on the listed adjoining public house as both a heritage asset and a locally valued community facility, including through the retention of appropriate car parking (sufficient to meet at least the needs of the public house as a going concern), {}and

careful consideration}} [conservation] of [the significance that it derives from] its setting
[and retention/enhancement of appropriate boundary planting.]"

SD21

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD21

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Musb_01a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify design requirements to conserve and enhance the settings of heritage assets. This resolves the issue we raised in our response to the Regulation 19 Plan.

SD22

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD22

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Newt_04, Newt_05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Newt_04 and NEWT_05: 20 new homes at each location at Newton Pop, again inside the NL. Most, if not all, of these sites cannot be justified as exceptional circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Harvey Wingfield

Organisation (where relevant): tor&co

Other party name (if relevant): D White Farms Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD22

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Newt_05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: N/A

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: N/A

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: N/A

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
N/A

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This part of the Development in the Towns and Villages chapter is not sound. The statement

“The site is allocated for 20 dwellings” imposes a fixed quantum that has not been justified by detailed site capacity testing, masterplanning or technical evidence. As drafted, the policy is not justified or effective, as required by paragraph 36 of the NPPF, because it does not allow for a reasonable degree of flexibility to respond to site-specific constraints and opportunities identified through the detailed design and technical assessment process. Furthermore, by limiting development to a fixed number of 20 dwellings, the policy risks undermining the objective of making efficient use of land, as required by paragraphs 124 to 130 of the NPPF. This may also unnecessarily constrain the delivery of affordable housing on the site. In addition, this policy conflicts with draft policy DS02 (Housing density and efficient use of land) within the Regulation 19 Local Plan, which requires residential development proposals to maximise the number of new homes and density of development of any site but to do so in a manner that is compatible with site setting and characteristics and which conserves or enhances the character of the area especially in a National Landscape and makes efficient use of land. Currently, the policy prevents more than 20 dwellings from coming forward even where a higher quantum could be delivered in a manner that is compatible with the site’s setting and characteristics, conserves and enhances the character of the National Landscape, and makes efficient use of land.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Current wording:

“The site is allocated for 20 dwellings”. Proposed wording: “The site is allocated for around 20 dwellings”. This modification introduces an appropriate level of flexibility to reflect the fact that the final developable capacity of the site will be informed by detailed design work, technical assessments and the planning application process. This modification, therefore, ensures the policy is sound in accordance with the tests set out in paragraph 36 of the NPPF.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: N/A

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To explain why an appropriate degree of flexibility in the stated number of dwellings is necessary to ensure the site can be delivered efficiently and in accordance with national and emerging local policy objectives for making effective use of land.

Full name: Harvey Wingfield

Organisation (where relevant): tor&co

Other party name (if relevant): D White Farms Limited

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD22

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Newt_04

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: N/A

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: N/A

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: N/A

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
N/A

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This part of the Development in the Towns and Villages chapter is not sound. The statement

“The site is allocated for 20 dwellings” imposes a fixed quantum that has not been justified by detailed site capacity testing, masterplanning or technical evidence. As drafted, the policy is not justified or effective, as required by paragraph 36 of the NPPF, because it does not allow for a reasonable degree of flexibility to respond to site-specific constraints and opportunities identified through the detailed design and technical assessment process. Furthermore, by limiting development to a fixed number of 20 dwellings, the policy risks undermining the objective of making efficient use of land, as required by paragraphs 124 to 130 of the NPPF. This may also unnecessarily constrain the delivery of affordable housing on the site. In addition, this policy conflicts with draft policy DS02 (Housing density and efficient use of land) within the Regulation 19 Local Plan, which requires residential development proposals to maximise the number of new homes and density of development of any site but to do so in a manner that is compatible with site setting and characteristics and which conserves or enhances the character of the area especially in a National Landscape and makes efficient use of land. Currently, the policy prevents more than 20 dwellings from coming forward even where a higher quantum could be delivered in a manner that is compatible with the site’s setting and characteristics, conserves and enhances the character of the National Landscape, and makes efficient use of land.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Current wording:

“The site is allocated for 20 dwellings”. Proposed wording: “The site is allocated for around 20 dwellings”. This modification introduces an appropriate level of flexibility to reflect the fact that the final developable capacity of the site will be informed by detailed design work, technical assessments and the planning application process. This modification, therefore, ensures the policy is sound in accordance with the tests set out in paragraph 36 of the NPPF.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: N/A

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: N/A

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To explain why an appropriate degree of flexibility in the stated number of dwellings is necessary to ensure the site can be delivered efficiently and in accordance with national and emerging local policy objectives for making effective use of land.

Full name: Rosie Walker

Organisation (where relevant): Woodland Trust

Other party name (if relevant): No

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD22

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: Newt 04, Newt 05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: These site allocations are adjacent to Ancient Woodland (ASNW) - irreplaceable habitat according to the NPPF and should be reviewed - extra clauses should be added to ensure significant buffers of at least 50metres from the development to reduce impact. Please refer to the Natural England Standing advice on Ancient woodland and irreplaceable habitats. This can be found at <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions> ?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ensure that suitable wording is provided to ensure the protection of irreplaceable habitats, veteran and ancient trees at the locations in the attachment to this submission.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

These site allocations require additional consideration for the threats they pose to irreplaceable habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

SD23

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD23

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otto_01

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

National Landscapes (NL) and Policies SD01, SD03, SD04, SD06, SD08, SD15, SD16, SD22 and SD23 Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Otto_01: 10 new homes at Otterton (Behind Hayes), again inside the NL boundary. Most, if not all, of these sites cannot be justified as exceptional circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,833 homes will only make the situation much worse.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to explain why we consider it is wrong to have so many housing sites within the National Landscapes.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD23

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otto_01

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify design requirements to conserve and enhance the settings of heritage assets. This resolves the issue we raised in our response to the Regulation 19 Plan.

SD24

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Summerfield Homes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD24

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Payh_03a

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We continue to support Strategic Policy SD24 and specifically the proposed allocation at Payhembury, the Land adjacent to Markers Park (Payh_03a).

We outlined in our representations to the first Regulation 19 consultation why we consider Payhembury to be a suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. We continue to maintain that the proposed allocation of Land adjacent to Markers Park (Payh_03a) for the development of around 15 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village.

This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review, predominantly to support the emerging allocation for the Land adjacent to Markers Park, Payhembury (Payh_03a).

We fully support the inclusion of the Land adjacent to Markers Park (Payh_03a) in the plan, and consider Payhembury to be a suitable location for future growth and to

accommodate a proportion of the required growth within the spatial strategy. The proposed allocation of Land adjacent to Markers Park (Payh_03a) for the development of around 15 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village.

We have however suggested in the representations some changes including that we consider it would be sensible to amend the extent of the allocation boundary to align with the Indicative Layout Plan appended to these representations.

Outside of this draft allocation however, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF.

Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification, and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method.

We hope that these comments will be helpful to inform the submission version of the Local Plan, but would be very happy to assist further with any queries relating to Payh_03a, particularly any discussions relating to the proposed allocation boundary.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In terms of the draft allocation itself, we specifically welcome the proposed changes to the draft policy text which partially addresses the comments we made at the last Regulation 19 stage.

We note the new draft wording reads: Land adjacent to Markers Park (Payh_03a) This site is allocated for 15 homes. Design and layout of proposals should be appropriate to this village gateway location and sensitively sited to take account of both the topography, with built development limited to the lower two-thirds of the site and the heritage and any ecological significance of the marl pit (a non- designated heritage asset) which must be retained in the end proposals. Access should be designed to

retain existing mature trees and minimise hedgerow removal, whilst ensuring highway safety. No house shall be occupied until a footpath connection is provided with existing pedestrian routes to the centre of the village. Landscaping which responds appropriately to the introduction of built form in this location shall be provided, including the introduction of substantial boundary screening along the southern boundary to maintain the rural character of the lane and the significance of the setting of the Grade II listed Glebe Farm on the southern approach.

We consider that whilst the scale of development proposed is supported, it would be helpful in order to provide flexibility for future delivery to amend the allocation text to read: “This site is allocated for around 15 homes”.

Whilst we welcome the changes already proposed which have introduced a recognition that the lower parts of the site are likely to be more suitable in order to help manage heritage and ecological constraints, we cannot see any proposed changes to the extent of the draft allocation boundary. In our representations to the first Regulation 19 consultation we appended the attached Indicative Layout Plan (Appendix 1) which we consider would best enable the delivery of the new homes whilst providing a suitable access and associated open space.

We continue to maintain that the allocation boundary for Payh_03a should be amended to align broadly with the extent of the Indicative Layout Plan attached at Appendix 1. This would help to ensure the future allocation best reflects what is likely to be delivered on the site. Indeed, to ensure flexibility for future delivery we suggest that the new allocation boundary broadly reflects that suggested in Appendix 1, but also ensures space within the allocation boundary to accommodate not only the developable area but also the necessary landscaping and public open space which would be required as part of a future planning application. We therefore recommend officers build in this flexibility and propose a revised allocation boundary with this extra space incorporated rather than a boundary which is unnecessarily tightly drawn.

We did provide an Indicative Layout Plan with our first Regulation 19 representations which reflects the current extent of the allocation boundary, confirming that none of the identified constraints represent an insurmountable bar to delivery of the policy aspirations. It is our view however that the allocation should best reflect the extent of site which will facilitate the best scheme for the site, and therefore our view is that the boundary should be amended as requested above.

Full name: Naomi and Lionel Osborne

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD24

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Payh_03a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We object most strongly to any development of this site for the following reasons –

1. EDDC Development Plan survey 2022. At that stage the site was designated as being unsuitable for development. Nothing has changed, and it is still unsuitable.
2. The Environment Strategy published by Devon County Council states: One of Devon County Council's roles is to support the protection, management and enhancement of the County's rich and varied landscape, its unique wildlife and important historic and geological features. This development would completely contradict this policy.
3. This field is unsuitable for development because of the ground conditions. Local people know that this field contains many springs, some feeding the two ponds and others forming marsh areas. There is an underground spring running east-west and discharging through the bank onto the road in the northwest corner. This spring runs 24 hours a day, 365 days a year, even during the drought period last summer.
4. The treatment plant cannot accept any more surface water.
5. All the trees and hedges have protection orders.
6. Exit from the field will necessarily be onto the single-track road with blind summit and bend, on a road of speed limit 60 mph. Any visibility splays will destroy long

lengths of protected hedgerow. A previous application from Glebe Farm to convert outbuildings was rejected because of highway exit dangers. The number of cars exiting would have been far fewer than those of the proposed development. The road there is also much wider with good visibility in both directions. It is now apparently permissible to exit more cars onto a narrower road next to a blind bend.

The overall picture is a development on land which is unsuitable both geologically, geographically and socially, the very reasons that it has not been developed before. Serious consideration should be given to stopping any development.

Full name: Claudia Lambeth Scott

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD24

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:

Payh_03a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Dear *** Personal details have been removed ***, I wish to register a formal objection to the proposed development at the above site. Having considered the application in detail, it is clear that the proposal raises serious and unresolved concerns relating to highway safety, environmental protection, land suitability and planning policy compliance. For these reasons, I believe the development should not be permitted. The most immediate concern relates to access and highway safety. The proposed exit from the site would be onto a narrow single-track road subject to a 60mph speed limit, with a blind bend and summit severely restricting visibility. Any attempt to achieve acceptable visibility splays would require the removal of long stretches of established hedgerow, causing harm to protected landscape features while still failing to address the inherent dangers of the location. It is particularly relevant that a previous planning application from previous owners of our property, Glebe Farm, involving the conversion of existing outbuildings, was refused on highway safety grounds. That proposal would have generated significantly fewer vehicle movements than the current scheme and benefited from a wider road with clearer sightlines. Allowing a more intensive development onto a more constrained and hazardous section of road would represent an inconsistent and unsafe planning decision. Beyond highway issues, the land itself is fundamentally unsuitable for development. Local knowledge confirms that the field is affected by numerous natural springs, several of which feed existing ponds, while others create persistent areas of marshy ground. An underground spring runs east to west across the site and discharges onto the road at the north-west boundary. This water flow is continuous throughout the year, including during periods of prolonged dry weather, raising serious concerns regarding drainage, flooding risk and ground stability.

In addition, it is understood that the existing treatment infrastructure cannot accommodate any further surface water or effluent. This places further doubt on the practicality and sustainability of the proposal. The site is bounded by mature trees and hedgerows that are subject to protection. Development would inevitably place pressure on these features, either directly through construction or indirectly through access requirements, lighting and ongoing activity, resulting in unacceptable harm to the character of the area. It is also important to note that during the East Devon District Council Development Plan Survey in 2022, this site was identified as unsuitable for development. There has been no material change in circumstances since that assessment. The same environmental, infrastructural and locational constraints remain firmly in place. Furthermore, the proposal conflicts with Devon County Council's Environment Strategy, which seeks to protect and enhance the county's distinctive landscapes, wildlife, and geological features. Developing this site would run counter to those objectives and result in permanent environmental damage. Taken together, these issues present a clear picture of a site that is inappropriate for development in planning, environmental and safety terms. These longstanding constraints explain why the land has not previously been developed, and they remain compelling reasons for refusal today. I respectfully request that the planning authority gives full weight to these considerations and rejects the application. Yours faithfully, *** Personal details have been removed ***

Full name: Dawn Chamberlain

Organisation (where relevant): Payhembury Parish Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD24

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Payh_03a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

Full name: Dawn Chamberlain

Organisation (where relevant): Payhembury Parish Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD24

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Payh_03a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

OBJECTIONS: Increase of 15 is 12% increase in size of village of 134 dwelling. Recognise steady increase, having 9 built at present on Pay02. Highest Q class conversions in Devon. INFRASTRUCTURE: Local sewerage works cannot cope at present 1708 hours of discharge into the Tale. A recent upgrade has just been cancelled (some work completed on storm overflows during 2025). Primary school up to capacity with out of village children, with no room for expansion. The secondary school in Ottery is full. GPs and dentists up to capacity and struggling. TRANSPORT: Single tract lanes into the village from all directions. Now effectively a commuter village to Exeter. Increased traffic from developments in Feniton. No public transport - 3 buses/week. 2 miles to Feniton railway station down narrow twisty lane with no footpath or cycle ways. ACCESS: From single track lane on a bend and hill. No possibility of access from Markers Park or Hillside. All facilities would come from the lane. ENVIRONMENTAL IMPACT: Proven bat presence including 2 threatened species Barbastelle and Seratine. Mature oaks up to 180 yrs old (some now with tree preservation orders – 2025) VISUAL IMPACT: As it rises up the slope, the development would be highly visible. The site was not recommended in the 2022 East Devon Plan. The reasons for rejection have not changed. Our major worry is that this development of 15 houses allows access with utilities to Payh_3 and that this would be the first of several developments until there were 60+ dwellings on the site.

SD25

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): J Persey

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD25

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Plym_03

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

None requested at this time but resubmission of representations to Reg 19 consultation

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Please note that our client would wish to reserve the right to attend the hearing session for 'Plymtree' and it's associated allocation, should this be of benefit to the Inspector.

Full name: Stephen Hobday

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD25

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Plym_03

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: For well documented reasons of road safety, accessibility, drainage, regular flooding of entry and exit routes, limited public transport/amenities I fail to see how Plymtree can be classed as a sustainable village designated for development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD25

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Plym_03

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify design requirements to conserve and enhance the settings of heritage assets. This resolves the issue we raised in our response to the Regulation 19 Plan.

SD26

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(c). If the comment is related to a site, please state the site reference here::
Sidm_34

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We accept the principle of housing on this site subject to - (i) Natural Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan 2020 - 2042 that gives sites like this the 'highest level of protection to the landscape and scenic beauty of land such as this in the 'National Landscapes in East Devon'. In putting this site into the emerging plan the council and officers did not follow their duty as it is not legally compliant with the designation of National Landscapes, Specifically, section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023. We need to understand how this issue will be addressed. (ii) Flood Risk and resilience This proposal requires adequate drainage through the public sewers rather than relying on draining off across the public Highway across as has been suggested the privately owned Sidbury Mill into the River Sid. It should be noted, that in response to the current planning application Devon County Council advise that they are 'not in a position to accept this development proposal as it stands'. This view is endorsed by South West Water. (v) Conflict with a policy area of significant archaeological interest. Devon County Council (DCC) Historic Environment Officer in his comment dated 13th December 2024 on the current outstanding planning application. We are concerned by the proximity of this site to Sidbury Castle, an early Iron Age Fort, less than half a mile west of the subject site. Accordingly the DCC Officer requires investigation works before any development can take place. So we need to understand how this issue will be addressed.

We are concerned that this development contains no Affordable Housing as required in this draft Local Plan.

We are also concerned that this development should achieve this Local Plans' own Strategic Policy PB05 (Page 257) to achieve 20% Biodiversity Net Gain (BNG) from this proposed development on existing agricultural land with a history of flooding on to the busy road below.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We are concerned by this proposed Land South of Furzehill, Sidbury (Sidm_34) proposal and need to be assured that the requirements of the existing Local Plan and the various statutory bodies can be satisfied before any development takes place.

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_34

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We accept the principle of housing on this site subject to -

(i) Natural Landscape (former AONB). This proposal contradicts Policy OL02 of this new version of the Local Plan 2020 – 2042 that gives sites like this the ‘highest level of protection to the landscape and scenic beauty of land such as this in the ‘National Landscapes in East Devon’. In putting this site into the emerging plan the council and officers did not follow their duty as it is not legally compliant with the designation of National Landscapes, Specifically, section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023. We need to understand how this issue will be addressed.

(ii) Flood Risk and resilience This proposal requires adequate drainage through the public sewers rather than relying on draining off across the public Highway across as has been suggested the privately owned Sidbury Mill into the River Sid. It should be noted, that in response to the current planning application Devon County Council advise that they are 'not in a position to accept this development proposal as it stands'. This view is endorsed by South West Water.

(v) Conflict with a policy area of significant archaeological interest. Devon County Council (DCC) Historic Environment Officer in his comment dated 13th December 2024 on the current outstanding planning application. We are concerned by the proximity of this site to Sidbury Castle, an early Iron Age Fort, less than half a mile west of the subject site. Accordingly the DCC Officer requires investigation works before any development can take place. So we need to understand how this issue will be addressed.

We are concerned that this development contains no Affordable Housing as required in this draft Local Plan.

We are also concerned that this development should achieve this Local Plans' own Strategic Policy PB05 (Page 257) to achieve 20% Biodiversity Net Gain (BNG) from this proposed development on existing agricultural land with a history of flooding on to the busy road below.

We are concerned by this proposed Land South of Furzehill, Sidbury (Sidm_34) proposal and need to be assured that the requirements of the existing Local Plan and the various statutory bodies can be satisfied before any development takes place.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_34

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

DCC welcomes the greater clarity provided by the revised wording relating to delivery of the Sidbury to Sidford/Sidmouth cycle route within the Sidm_34 allocation.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_34

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: See enclosed representations

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

See enclosed representations which set out the requested amendments to the draft site allocation policy. We continue to fully support Strategic Policy SD26 and specifically the proposed allocation of the Land South of Furzehill, Sidbury (SIDM_34). It is noted however that the draft allocation text for the site has changed. We have no objections to the changes proposed to draft allocation SIDM_34. We recognise that there will be a need to secure the delivery of the component of the second phase of the Sidford to Sidbury multi-use path which would run through the site. Indeed, ensuring this is in place in the early stages of the development is sensible as it will enable the available connections at the outset of the scheme. In terms of the latest position on the site itself, a comprehensive overview of the land south of Furzehill, Sidbury was provided as part of representations to the previous stages of the Local Plan, and an update was provided as part of representations to the first Regulation 19 consultation draft. Rather than repeat this, the latest position is set out below. Outline Planning Application and Public Consultation An outline planning application for the site was submitted in November

2025 (ref: 24/2434/MOUT) and is currently pending determination with East Devon District Council. The proposals are for the development of 43 residential dwellings, and entirely consistent with the emerging allocation in terms of scale and nature. Indeed, the following aspects of the pending outline planning application demonstrate consistency with the emerging allocation for the site under SIDM_34: the delivery of 43 new homes, comprising 28 market homes and 15 affordable homes for the local community to address the current housing shortfall;

- the delivery of a high quality and sustainable off-road multi-use path linking Hillside and Furzehill - extending the proposed Devon County Council multi-use path, for which the first phase has now received planning permission;
- integration of the development with the existing urban form and surrounding landscape (specifically ensuring that the upper slopes are kept free of development in accordance with the requirements of emerging policy SIDM_34);
- the delivery of a high-quality residential environment;
- delivery of considerable open space provision, over and above adopted policy requirements;
- net biodiversity gain through the retention and enhancement of existing habitats, and creation of new habitats alongside delivery of a range of ecological mitigation and enhancement measures. Indeed, as demonstrated by the supporting plans the application proposals can provide more than the Government's 10% requirement in Biodiversity Net Gain across habitats, hedgerows and watercourses; and
- a sustainable drainage strategy which will restrict site runoff to the greenfield equivalent rate and provide long-term storage. The submission of the outline planning application demonstrates the intent of the applicant, Sidbury LVA LLP, to deliver the site in the context of the significant need for housing in the district, as well as delivering the second phase of the multi-use path. Importantly, the first phase of the multi-use path was approved by Devon County Council on 28 April 2025 (ref: DCC/4404/2024). This is a significant update to the position set out in our previous representations in early 2025 when the application was still pending. This now further demonstrates the importance and significance of the Land South of Furzehill to enable both the delivery of housing to address local housing needs but also to deliver the second phase of the multi-use path. The submitted masterplan includes a significant amount of integrated multifunctional green space that is easily accessible for the use and enjoyment of the whole community and makes connections with the wider landscape - including a new pocket park, a community orchard and new hedgerows, wetland and meadow areas to enhance biodiversity. The development of the site would comprise a natural extension to the existing houses at Furzehill and Hillside, sitting in the lower part of the valley with minimal landscape and visual impact on the wider area, sensitive to the AONB setting.

Indeed, the site is physically surrounded by built development to the north, south and east, and is therefore capable of seamless integration with the village and being developed with relatively limited visual impact. Overall, it is clear from the submitted planning application plans and documents that the pending outline planning application demonstrates intent by Sidbury LVA LLP to bring forward this site now to facilitate new homes and the delivery of the second phase of the multi-use path. It also demonstrates that the pending outline application is entirely consistent with the requirements of the emerging allocation particularly through the number of new homes proposed, the provision of the second phase of the multi-use path and the protection of the upper slopes from built development. In terms of engagement and joint working with key stakeholders, much of this was set out in our representations to the first Regulation 19 consultation draft. Engagement is ongoing with Devon County Council in relation to the delivery of the second phase of the multi-use path, and how the pending planning application can facilitate that, as well as ongoing engagement in relation to the outline planning application, particularly with officers at East Devon District Council. In summary, the Land south of Furzehill, Sidbury remains a very good candidate for allocation in the emerging Local Plan Review. As the masterplan for the site and supporting technical work demonstrates, the site is capable of accommodating the 43 new homes proposed in draft Policy SIDM_34, including a policy compliant level of affordable housing, as well the delivery of the second phase of the Sidford to Sidbury cycle link. Given the lack of local affordable housing delivery and lack of any other feasible options at Sidbury, the Land south of Furzehill is an ideal candidate for allocation in the plan and we will continue to support it through the development of the draft plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill (SIDM_34), and other draft policies in the plan.

Full name: Philip Parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_34

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have always believed that the council has not followed the law, in that they have suggested building in the National Landscape without the requirement of explaining how their decision enhances or conserves this part of the National Landscape. I looked at a planning application for this site. I just realised that this plan for over 40 houses is in fact a “major” development. The policy states “Major developments in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest”. During the process of putting together the local plan the council has never articulated, discussed, or published what exceptional circumstances or public interest would be in building 40 new houses in agricultural fields entirely within this part of the National Landscape. It should be stopped immediately. As a note: The developer has added a cycle route as a red herring, as it’s only a few hundred metres and the rest of the route, several miles, is unfunded and without planning permission, so should be discounted completely as a reason to support their plan. Background: The text in Policy in OL02, National Landscapes, follows the wording in the Countryside and Rights of way act that was recently updated in 2023. The council should be congratulated for documenting their responsibilities. It states that “development in a NL will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities , character and natural beauty of the National Landscape”. In putting together the local plan the council has clearly not followed this policy, and taken steps directly opposed to the policy. the council has proposed over 40 houses on an agricultural field - no mention was made in the sessions of it avoiding harm or contributing positively to the landscape. The council records all their sessions, and it is informative if one views the sessions

where Sid_34 was debated. On youtube the Strategic planning committee meeting Sept 11 2024 (starts at 1hr 34m) and Nov 1 2024 (starts 2hr 6m) is where Sid_34 is debated. During the discussion there is no mention from anyone on the committee about how the proposed development would enhance the landscape; in fact in the discussion the only mention is about how to minimise harm by different locations of the new houses on the existing green fields. I simply can not understand how a council can write clearly down their responsibilities and then totally ignore them when putting the plan together. I am sure Sid_34 is not the only site in the National Landscape be earmarked for new developments. There might be a real need for extra housing in East Devon, but the council should follow the law in where it plans to locate these new houses.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove this site from the emerging local plan, and possibly other sites that they have included which sit in the National Landscape.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The council have not respected the legal necessity to treat National Landscapes with respect. In addition the site has many technical issues which would make the site highly unattractive to develop (no drainage solutions, local flooding, ancient sites would need a thorough dig and investigation , nearby listed building, sensitive protected animals and highly suspect safe access).

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the site Sid_34 from the plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please

be as precise as possible.: If they had cooperated with the body that over sees the National Landscape they would not have made the mistake of including Sid_34.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I have been to many council planning meetings, making a public comment in the 3 or so minutes they give. I have no confidence the council ever listens and acts on the public contributions. I would like to participate in the hearing session to build some confidence that the process is a fair one and legally compliant.

Full name: Philip Parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_34

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In putting this site into the emerging plan the council and officers did not follow their duty and is not legally compliant with the designation of National Landscapes, Specifically, section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023. On 11th September 2024 the council voted to accept Sid_34a but not 34_b to limit the extent of the development and to reduce the harm to the landscape. Surprisingly the developer persuaded the planning team to propose at the next meeting, Nov 1st 2024 to combine 34a and 34b (now called just Sid_34). Although the committee seemed surprised to have the proposal in-front of them it did get accepted, arguing that a less dense development spread across the whole site would cause less harm to the landscape than a similar number of buildings in just 34a. The discussion was always focused on mitigating the harm of the development. At no point did the committee ever discuss how to enhance and conserve the National Landscape in this sensitive location, next to an Iron Age fort and listed farm buildings. There was no evidence that the planning department or committee were following their legal duty of the Levelling Up and Regeneration Act 2023. In fact their actions were demonstrably acting against this legislation. At the first consultation many pointed to this error, and belatedly the council planning team have realised their mistake. Instead of revisiting the validity of proposing development on this agricultural land they have tried to save face by adding a clause to the document which is putting the onus on the future developer of this site to “enhance” the landscape. Simply adding a clause to the document does not get them over the fact that they put the plan together with a non legally compliant process. It also appears to make no sense how a rural landscape can be enhanced by building over 40 houses on green fields, and joining two existing conurbations together.

As a local authority, you must make sure that any proposals in the local plan seek to further the purpose of conserving and enhancing the natural beauty of the (AONB) National Landscape. This was not done, and has still not been done in putting the plan together.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove this site from the emerging plan.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The site selection followed a flawed process. In addition to not following the law regarding National Landscapes the site also has huge issues with drainage, and access to the main road. A developer has already submitted an application for this site, and one year later they still have not come up with an acceptable drainage plan. It was not a sound decision to include this site which has so many constraints that make a potential development very difficult.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: There is no evidence of any cooperation between the council and other national bodies, for example the body that oversees the National Landscape. When the body responsible for National Landscapes saw this site in the plan they objected to it in the strongest terms, an action demonstrating no previous cooperation.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the council is held to account for not following the law in putting the plan together and Ignoring their duty to enhance and conserve the National Landscape

Full name: Philip Parsons

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_34, Sidm_34a, Sidm_34b

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In putting this site into the emerging plan the council and officers did not follow their duty and is not legally compliant with the designation of National Landscapes, Specifically, section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023. On 11th September 2024 the council voted to accept Sid_34a but not 34_b to limit the extent of the development and to reduce the harm to the landscape. Surprisingly the developer persuaded the planning team to propose at the next meeting, Nov 1st 2024 to combine 34a and 34b (now called just Sid_34). Although the committee seemed surprised to have the proposal in-front of them it did get accepted, arguing that a less dense development spread across the whole site would cause less harm to the landscape than a similar number of buildings in just 34a. The discussion was always focused on mitigating the harm of the development. At no point did the committee ever discuss how to enhance and conserve the National Landscape in this sensitive location, next to an Iron Age fort and listed farm buildings. There was no evidence that the planning department or committee were following their legal duty of the Levelling Up and Regeneration Act 2023. In fact their actions were demonstrably acting against this legislation. At the first consultation many pointed to this error, and belatedly the council planning team have realised their mistake. Instead of revisiting the validity of proposing development on this agricultural land they have tried to save face by adding a clause to the document which is putting the onus on the future developer of this site to “enhance” the landscape. Simply adding a clause to the document does not get them over the fact that they put the plan together with a non legally compliant process. It also appears to make no sense how a rural landscape can be enhanced by building over 40 houses on green fields, and joining two existing conurbations together.

As a local authority, you must make sure that any proposals in the local plan seek to further the purpose of conserving and enhancing the natural beauty of the (AONB) National Landscape. This was not done, and has still not been done in putting the plan together.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Remove this site from the local plan.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The site selection followed a flawed process. In addition to not following the law regarding National Landscapes the site also has huge issues with drainage, and access to the main road. A developer has already submitted an application for this site, and one year later they still have not come up with an acceptable drainage plan. It was not a sound decision to include this site which has so many constraints that make a potential development very difficult.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove this site from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: There is no evidence of any cooperation between the council and other national bodies, for example the body that oversees the National Landscape. When the body responsible for National Landscapes saw this site in the plan they objected to it in the strongest terms, an action demonstrating no previous cooperation.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that the council are held to account for their disregard of the National Landscapes.

Full name: Helena Ryan

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_34

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: 1) The cycle route has not been altered from the first proposed route using Ebdon Lane. As previously noted, this is about 15% (1 in 7) which is considerably steeper than the absolute maximum gradient of 8% specified in LTN 1/20 (Local Transport Note on Cycle infrastructure design, Para 10.8.21), so how can you still be considering the same route? 2) It is a statutory duty under Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-up and Regeneration Act² in December 2023) requiring relevant authorities, in exercising or performing any function that affects AONBs in England, to “seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty,” and the LPA will need to be able to demonstrate how it has done this. The changes listed are; a) higher parts of the site remaining undeveloped, b) restrictions on building heights, c) materials used in the buildings, and d) planting along field boundaries. a) The top of the site was always shown as being undeveloped except for an attenuation pond to catch runoff. b) The height of buildings on a hill will probably make little to no difference as to their visibility unless the top row of planned houses is moved a very long way further down the site and the height of the houses and flats is kept to a single level. c) Unless the new houses are cob and thatch or replicas of the Victorian and Edwardian brick houses opposite how will they fit in? d) Aside from the fact that trees planted along the Chapel Street boundary will cause issues as they mature because of the numerous overhead power lines, they will also cause a light loss to the houses opposite. Will any of these proposed alterations either conserve or enhance the landscape? No, of course they won't. How could any of this enhance a rolling green field? And new build properties on virgin land is diametrically opposite to the meaning

of conserve' The joining of two separate areas of the village by removing the few remaining green field wedges that currently break up the largely, newer end of the village from the oldest parts, will destroy the remnants of ancient field systems. We should be preserving these open spaces not allowing the village to coalesce into one continuous settlement.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The planning team have not in any way shown how this proposal, even with these amendments, will conserve and enhance the landscape - They can't because it won't. The only solution is to find a more suitable place for this development to be built.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The planning team have not in any way shown how this proposal, even with their amendments, will conserve and enhance the natural beauty of the landscape - They can't because it won't. This is not legal under Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-up and Regeneration Act 2021 in December 2023)

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The planning team have not in any way shown how this proposal, even with their amendments, will conserve and enhance the landscape - They can't because it won't. The only solution is to find another site for this development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The planning team have not in any way shown how this

proposal, even with their amendments, will conserve and enhance the landscape - They can't because it won't. The only solution is not to build in an AONB

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: A wish is not a necessity. This makes no sense whatsoever.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_34

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text, highlighting the presence of Sidbury Castle Scheduled Monument and clarifying design requirements to conserve and enhance the settings of heritage assets. This resolves the issues we raised in our response to the Regulation 19 Plan.

SD29

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): DABB Partnership

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Whim_11, Whim_08

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:
CarneySweeney on behalf of DABB partnership.

We continue to support the allocation of these sites.

It is worth noting however that the new text (in red) simply largely repeats the provisions of Strategic Policy AR01 Flooding, Policy HE02: Listed Buildings and associated provisions of the NPPF. While this may not in itself make the Policy unsound, the new text is considered superfluous and could be removed without diluting the provisions of Strategic Policy SD29.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We ask to be kept informed of next stages of

consultation and also that we have an opportunity to participate in any public examination of this document.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(c). If the comment is related to a site, please state the site reference here::
Whim_12

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

Summary and conclusions 10.1 These representations are submitted on behalf of DWH, who are part of Barratt Redrow PLC. They control land to the west of Lilypond Lane, Whimble. 10.2 DWH are pleased to see further progress is being made on the emerging Local Plan and are generally supportive of its content. However, in their consultation responses to the 2023, 2024 and 2025 consultations, and in correspondence to the Strategic Planning Committee in Autumn 2024, they outlined a number of areas where they believed further consideration was necessary. In the main, these concerns remain unaddressed. Their concerns are: LAND TO THE WEST OF LILYPOND LANE, WHIMPLE ? Land to the west of Lilypond Lane is suitable and available for residential development. It is also a deliverable proposition. It is well located in close proximity to a range of existing services and facilities, including Whimble Railway Station, which is described as a strategic facility in the Local Plan's evidence base, providing services to a range of destinations, including the West End and Exeter. ? The development of land to the west of Lilypond Lane would deliver a number of benefits, including potential improvements to the local highway network and a drainage strategy that could assist reduce downstream flood risk.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Whim_12

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: THE PROCESS ADOPTED BY THE STRATEGIC PLANNING COMMITTEE WHEN SELECTING SITES IN AUTUMN 2024

9.17 Based upon the HELAA conclusion that the site was ‘probably undeliverable’ and therefore the Local Planning Authority considered that it was far from certain that the site was undeliverable, site

SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 54
WHIM_12 was not included within the potential options for accommodating residential development within Whimple³⁶.

9.18 However, as set out above, in the period between the publication of the HELAA and the publication of the Site Selection Report for Whimple, highways and access technical work, the latest of which is provided at Appendix 2, was prepared on behalf of DWH. This work was provided to the Local Planning Authority as part of DWH response to the last Regulation 18 and 19 consultations.

9.19 Despite this work highlighting the obvious technical flaws in the HELAA regarding the treatment of site WHIM_12, the conclusions of the HELAA were not revisited and they were rolled into the 2024 site selection work, which excluded site WHIM_12 from consideration.

9.20 DWH set out their concerns to the approach being adopted and the opportunity provided by WHIM_12 in correspondence to Officers on 17th September 2024, and then in detail to each Member of the Strategic Planning Committee on 20th September 2024. Despite the obvious flaws in the HELAA evidence base which were not revisited, DWH were prevented from presenting the opportunity provided by WHIM_12 at Strategic Planning Committee meetings in September and October 2024. Many other developers of sites that were considered to be developable opportunities were allowed to speak at the series of Strategic Planning Committee meetings held in Autumn 2024, including the two allocations at Whimple.

9.21 DWH considers that the approach taken to site selection by the Local Planning Authority and then again in 2024 via the Strategic Planning Committee has created inequity between how differing sites have been considered during the formation of the Local Plan. By not revisiting the conclusions of the 2022 HELAA despite clear and up-to-date evidence and then rolling the HELAA conclusions into the Site Selection Report, the approach has been unfairly prejudicial to the promotion of site WHIM_12.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Whim_12

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

9.1 Throughout this representation, DWH has raised a number of concerns with the evidence base underpinning the emerging Local Plan. Their principal concerns relate to: ? the HELAA; ? the process adopted by the Strategic Planning Committee when selecting sites in Autumn 2024; ? the Sustainability Appraisal; ? the Role and Function of Settlements Background Paper; and ? viability concerning the Marlcombe new community.

9.2 These concerns are outlined below.

9.3 If unresolved, they could result in a Plan that is not positively prepared, is unjustified and inconsistent with national planning policy. It would therefore be unsound. HELAA – DOCUMENT HOU-003

9.4 Land to the west of Lilypond Lane was assessed in the HELAA at Site Whim_12 (see pages 2113 to 2117 of Appendix F(ii) of Document HOU-003).

9.5 The assessment identified the following benefits associated with the development of the site: ? it avoids the major biodiversity designations; ? other than the site being located in the 10km buffer zone to the Pebblebed Heaths, no other biodiversity constraints to development were identified; ? no landscape constraints to the development of the site were identified; ? no overhead power lines cross the site and neither do high-pressure gas mains; ? Whimble Primary School is capable of supporting

further development; ? it is outside the Airport Vector; and ? it is located in close proximity to a range of local facilities and public transport opportunities, including a railway station.

9.6 DWH agrees with these conclusions. They also draw attention to the other benefits associated with the development of the site, which are outlined in Section 2 of these representations.

9.7 Notwithstanding the above, they strongly disagree with Devon County Council's Highway comments made in respect of the site, which resulted in the site being incorrectly considered as 'probably unachievable.'

9.8 The County Council raised concerns that access off Grove Road and Lilypond Lane was challenging and it was not readily apparent about how it could be achieved. This incorrect conclusion was taken forward by the Panel, who also raised concerns about the need to improve the road network and bridge over the railway. Consequently, despite being considered as being suitable and available, the overall conclusion for the site was that it was probably unachievable.

9.9 Even without having regard to the evidence presented by DWH, it would seem to be unjustifiable to rule out the site at such an early stage, when the use of the word 'probably' suggests that there was some doubt as to whether the constraints could be overcome, or not.

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9.10 Moreover, work undertaken on behalf of DWH has demonstrated that these conclusions are incorrect and are unjustified. DWH's technical work (see Appendix 2) confirms that having regard to existing vehicular flows, likely two-way vehicle movements resulting from the proposed development and the site's accessibility to a strategic sustainable transport connection, Lilypond Lane could easily accommodate the traffic generated from the proposals and therefore provides a sensible location for a vehicular access. Moreover, improvements could be made to enhance the route and reinforce pedestrian safety and improve vehicular passing, particularly at the railway bridge. The work also notes that there is a growing shift in transport policy to a vehicle capacity last approach, with a preference given to locations that can maximise sustainable travel and local living. Whilst any increase in movements on Lilypond Lane and other local routes could increase the likelihood of driver inconvenience, there are no contemporary policies that support driver convenience. Indeed, a modest increase in driver inconvenience could create a positive 'nudge' towards shifts to active and sustainable travel modes.

9.11 Consequently, they conclude that: “...there are no technical highways reasons not to support the development, and the residual traffic impacts can largely be offset by wider changes in mobility patterns in the village, which can be accelerated with investment offered by the development.”

9.12 Given the above, the conclusion that land to the west of Lilypond Lane is probably unachievable for housing is incorrect. This should be amended in future versions of the HELAA, which in turn should be fed into other evidence base work underpinning the emerging Local Plan (i.e. the Sustainability Appraisal).

9.13 This will be particularly important in the context set out in Sections 6, 7 and 8 of these representations, where the Local Planning Authority will need to find additional housing land.

9.14 The opportunity presented could help focus a greater proportion of development at a settlement, which, having regard to its services and facilities, could accommodate a greater proportion of the District’s needs. Moreover, it would also result in a greater focus of development along the West of England Mainline strategic transport corridor, which provides sustainable transport connections to and from Whimple to a range of services, facilities and employment opportunities to both the east and west. It would help to maximise opportunities to encourage use of the railway line at Whimple.

9.15 These are points which have been made to the Local Planning Authority during previous Regulation 18 and 19 consultations, as well as separately in writing to Officers and Members of the Strategic Planning Committee in Autumn 2024. Despite this compelling evidence, the Local Planning Authority have chosen not to reconsider the deliverability and developability of the site through their now dated HELAA.

9.16 The treatment of the site through the HELAA process is even more unjustified, when noting that site Whim_04 was considered as being a potential site to accommodate housing, despite it likely requiring pedestrian, cycle and vehicular access onto Lilypond Lane. The treatment of site Whim_12 by the Local Planning Authority is therefore clearly unequitable.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: See enclosed representations

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Strategic Policy: SD29: Development allocations at Whimple We continue to object to draft Policy SD29 in its current form on the basis that insufficient allocations are included. As per our response to draft Policy SP02, the housing requirement should be increased and further allocations included within the plan, including at sustainable settlements such as Whimple. Whimple, unlike a number of other small towns and villages in the district, benefits from a railway station providing mainline railway services. The village is therefore very well connected to Exeter, providing direct connections into Exeter. These public transport services provide residents with good connections to Exeter and the range of regional employment, retail and leisure facilities on offer as a result. The village hosts a range of day-to-day services and facilities which supports its sustainability and promotes self containment. This includes a shop / convenience store, post office, primary school and GP surgery. As a result, we continue to maintain that Whimple is an entirely appropriate location for additional growth beyond that proposed. Again, in the context of the need to increase the overall housing requirement and with it the need for the Council to identify additional site allocations, we continue to promote the land north of Grove Road, Whimple, (Whim_13) as one such site which the Council could look to as an easy way to identify an additional small site

at one of the sustainable villages. We specifically consider that the land north of Grove Road, Whimble, (Whim_13) should be included in the plan as an allocation to help support a potential increase in the overall housing requirement. The site has been assessed previously by the Council as part of the emerging local plan, and specifically through the HELAA process but was rejected in earlier stages of the draft local plan and not included as a preferred allocation in the Regulation 19 draft. The latest site assessment evidence is contained within the Site Selection Report Whimble (February 2025). Within the Site Selection Report, the site is assessed under reference 'Whim_13' 'Land North side of Grove Road'. The site is assessed on the basis of a potential capacity for around 100 dwellings. However, the Council's site assessment assess the whole site, identifies the relevant constraints and then makes conclusions on that basis. The red line boundary for the whole site assessed under Whim_13 is far larger than it necessarily needs to be, and results in the site being considered unsuitable as a whole. However, there is no recognition in the site assessment that the north western part of the site, closest to the village, is suitable for development. Indeed, the top field is separated from the remainder of the site to the east by a tree / hedgerow which provides two distinct and separate parcels. Instead the top field is very well contained, surrounded by either existing built development or trees / hedgerows on all sides. Any landscape and visual impacts of developing that parcel would be limited. The top parcel is outside of the flood zone, identified in the Council's assessment as covering the bottom part of the site, beyond the centre tree belt. This parcel of land already benefits from an existing access from Grove Road between existing housing. As stated, this parcel falls within flood zone 1 with only the northern boundary of the site falling within flood zone 3 nearest to a watercourse. There are no other environmental designations or constraints to development. We therefore consider that the Council's assessment of the site unnecessarily discounts Whim_13 on the basis that there are constraints relating to the part of the site we would consider to be least suitable. Equally, it is misleading to assess a potential site capacity of around 100 homes and then use that to conclude that the site is unsuitable as it would represent a scale of development too large for the village. If the Council were to assess just the top parcel then that would likely represent a scale of development of around 50 dwellings.

Local Plan Review, predominantly to promote the Land north of Grove Road, Whimble, (Whim_13) as an additional allocation for residential development. We have outlined why we consider Whimble a suitable location for a higher level of growth than that already proposed in the plan, and why the site itself is suitable to be included as a third allocation at the village. Outside of this, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF. Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification,

and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Overall, there is a clear need for the Council to revisit and increase the housing requirement as part of the draft local plan and Whimble is a suitable location to accommodate a proportion of the future growth. To assist the Council with this inevitable further work, we have appended to these representations a plan which outlines the boundary for the site we consider should be reassessed, and for which we are confident officers would agree is suitable for inclusion as an additional allocation. The plan is attached at Appendix 1. In addition, to further assist, we believe the text for an allocation for the site could be included as set out below:

Land north of Grove Road, Whimble, (Whim_13)

The site is allocated for around 50 homes.

The site will need to deliver safe and accessible walking and cycling routes through to the primary school, shop and other facilities at the centre of the village.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land North side of Grove Road (Whim_13) (omission site), and other draft policies in the plan.

Full name: robert glanville

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Whim_08a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The Whim_08 proposed site is not founded on a robust evidence base. All the evidence for Whim_08 given by the EDDC officers was unfavourable to the development for multiple reasons. Despite the fact that nothing has changed, the local Lib Dem councillor, with no support from the village or Parish Council, proposed building on the promised Green Wedge site of Whim_08 - on which promise he was elected to protect, as councillor. Reference EDDC Strategic Planning Committee Meeting Autumn 2024. Surely this disregard for clearly unfavourable evidence does not comply with 'maintaining public trust'.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
There are no obvious modifications that could render this site a safe development, or protect the habitat - Little Owls, bats etc - of protected species.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: The main road through the village is nothing more than a lane in places, resulting in several one-way traffic stretches. Additionally the lack of pavement and lighting on this road,

which leads to the village square, shop, railway station, school and village hall, clearly demonstrates that it is totally unsuitable for the extra traffic, which the development of Whim_08 would bring.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Whimple is a small village obviously not established with today's traffic in mind. The main road could not be widened to accommodate pavements to provide safety to pedestrians and drivers alike. Road safety is already a huge issue in Whimple.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

The Highways Agency would surely be concerned about serious traffic safety due to any increase of traffic in an already overcrowded 'lane' through the village. Also, has there been any engagement with Wildlife Trusts or similar bodies in relation to the protection of habitats for Little Owls, bats etc.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: robert kennet glanville

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Whim_08

Full name: Alan Lascelles

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::

Whim_08a, Whim_11

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Site Whim 11. *** Personal details have been removed *** a key playing in the decision making process did not have a comprehensive understanding of the old cricket ground site and in particular, the results of a survey collated in Jan 2023 indicting that 64 /80 were opposed to the development. It is clear that the law regarding Localism is irrelevant at EDDC. It is my understanding that there is a covenant on the site by Whiteways Family, to use for recreation purposes only, not housing. Site Whim 11 - land adjacent to Bramley close. The councillors at the Strategic Planning Meeting which approved the development on this site were provided with false information by the individual acting for the developers. That there is no evidence that *** Personal details have been removed *** yung had visited the site before voting for the development. Within the emerging draft Neighbourhood plan great emphasis was place on securing a green wedge between Whimple and Cranbrook, the draft was advocating no development west of the core village. The wishes' of the villagers have been ignored. The village survey found that 86/87 were opposed to the site being developed. Councillors have acted without due diligence and unprofessionally in making 'seismic' major decisions without fully appreciating the evidence gathered about what development is acceptable and what is not by the citizens of Whimple. This includes the Whimple EDDC Councillor *** Personal details have been removed ***. Localism matters, but this has been steamrollered by the inadequately informed. In the EDDC draft Local Plan indicated only 41 houses were to be located in Whimple, but now we have 83 houses. This is totally unacceptable and an unsafe decision. Accordingly, one needs to determine the true motivating forces behind the decision to build twice the number? Furthermore, there is a very clear conflict of interest that *** Personal details

have been removed *** as a Parish Councillor and a District Councillor and in the role of Chair of the Strategic Planning Committee. In essence he is a developer, therefore he should have pulled away from the decision making process, instead he proposed the development of site Whim 8 . Accordingly, this decision should be consider unsafe. 50 houses does have a major impact on this village. In addition Whimble 500 homes have been allocated to the Parish of Whimble as part of Cranbrook. The geographical map Data provided by EDDC did not include, within the delineated boundary of Whimble the site for 500 homes, just site 8 and 11.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ref 2b

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Ref 2b

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is not too late to make any changes as befitting current knowledge, understanding and circumstances.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: For the reason stated above. Individuals within EDDC has not acting professionally.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Hannah Shaw

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Whim_11

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: I do not believe that the flood risks have been adequately addressed. I am concerned for properties at risk of flooding down from the site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Land at risk of flooding should not be built on.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Hannah Shaw

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Whim_08

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The views of the residents have not been taken on board despite following the procedure and commenting on the Reg 19.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I believe Whim_08 needs looking at in more detail, fully taking on board the views of the residents and amending the document.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:
Many of the comments made by the public regarding the suitability of Whim_08 have not been addressed at all. For example the increase in traffic through narrow roads, the road safety for pedestrians, the loss of habitats and the erosion of the green wedge.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will

be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: I believe the whole section needs revising, taking into account all the points raised by the concerned villagers. I also think the word 'mandatory' should be added when explicitly asking for works to be undertaken, to ensure it happens. The wording 'where development cannot be located outside of the area at risk of flooding....' highlights what is wrong with the soundness of this plan. Development should not happen where there is a risk of flooding and potential knock-on effects to nearby properties.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I do not believe that the council have fully co-operated and listened to the voices of the local residents.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am willing to speak for the residents of Whimble.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Whim_08a

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify that archaeological assessment will be required prior to development commencing. This resolves the issue we raised in our response to the Regulation 19 Plan.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Whim_11

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We welcome the additional policy text to clarify design requirements to conserve and enhance the settings of heritage assets. This resolves the issue we raised in our response to the Regulation 19 Plan.