



East Devon Local Plan
Publication Stage (Regulation 19)
Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates: East Devon Local Plan 2020-2042

Please return to East Devon District Council, Local Plans Team, Blackdown House, Border Road, Honiton, EX14 1EJ, upload onto our consultation portal at <https://eastdevonlocalplanreg19.commonplace.is> or email to localplan@eastdevon.gov.uk by **31 March 2025**

This form has two parts:

Part A – Personal Details: Needs to be completed only once.

Part B – Your representation(s): Please fill in a separate sheet for each representation you wish to make.

Part A: Personal details

1. Personal details

Full name

Are you acting as an agent for another party?

Organisation (where relevant)

Address line 1

Address line 2

Address line 3

Postcode

Email address

Part B – Representation

Please use a separate sheet for each representation

2. To which part of the East Devon Local Plan does this representation relate? Please write down the paragraph or policy number that your representation relates to.

Paragraph

Policy

Policies
Map

3. Do you consider that this part of the East Devon Local Plan is legally compliant?

Yes

No

3 (a). If yes, and you wish to support the legal compliance of this part of the East Devon Local Plan, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

3 (b). If no, please give details of why you consider this part of the East Devon Local Plan is not legally compliant. Please be as precise as possible.

(Continue on a separate sheet if necessary)

3 (c). Please set out the modification(s) you consider necessary to make this part of the East Devon Local Plan legally compliant, in respect of any legal compliance matters you have identified at 4(b) above. You will need to say why each modification will make this part of the East Devon Local Plan legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

(Continue on a separate sheet if necessary)

4. Do you consider that this part of the East Devon Local Plan is Sound?

Yes

No

4 (a). If yes, and you wish to support the soundness of this part of the East Devon Local Plan, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

4 (b). If no, please give details of why you consider this part of the East Devon Local Plan is unsound. Please be as precise as possible.

(Continue on a separate sheet if necessary)

4 (c). Please set out the modification(s) you consider necessary to make this part of the East Devon Local Plan sound, in respect of any soundness matters you have identified at 5(b) above. You will need to say why each modification will make this part of the East Devon Local Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

(Continue on a separate sheet if necessary)

5. Do you consider that this part of the East Devon Local Plan complies with the Duty to Co-operate?

Yes

No

5 (a). If yes, and you wish to support this part of the East Devon Local Plan's compliance with the duty to co-operate, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

5 (b). If no, please give details of why you consider this part of the East Devon Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.

(Continue on a separate sheet if necessary)

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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

No, I do not wish to participate in hearing session(s)

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

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

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

(Continue on a separate sheet if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

For more information on how we use your data – please read the privacy notices at the following links: <https://eastdevon.gov.uk/access-to-information/data-protection/privacy-notice>
<https://www.commonplace.is/privacy-policy>

8. If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.

(Continue on a separate sheet if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Local Plans Team
East Devon District Council
Blackdown House
Border Road
Honiton
EX14 1EJ

Dear Sir / Madam,

Re: East Devon Local Plan Regulation 19 Consultation – Land adjacent to Beechwood, Feniton

We write on behalf of South West Strategic Developments Limited (SWSD) in relation to the East Devon Local Plan Regulation 19 consultation, specifically regarding Land adjacent to Beechwood, Feniton, which is identified as an allocation (ref. Feni_08).

SWSD has an agreement with the landowners of this site to promote it for residential development. Previous representations have been made regarding this development site including to the East Devon Call for Sites and Local Plan Issues and Options Consultation in 2021, and the site has been considered by the Council as part of the Housing and Economic Land Availability Assessment (HELAA).

It is important to stress from the outset that we support and welcome the site's (ref. Feni_08) inclusion in the emerging spatial strategy as an allocation to meet the identified housing need in East Devon.

Notwithstanding, we have been instructed by SWSD to prepare and submit these representations to the East Devon Local Plan Regulation 19 consultation. Our submission provides comments on the local plan spatial strategy and key specific policies (including Strategic Policy SD18, which relates specifically to this site), as well as setting out that the site is available and deliverable, and confirming that the site should continue to be allocated for residential development.

This representation is consistent with the previous submissions made to the Council, and should be considered alongside these, as it does not seek to repeat the points previously made in detail.

It should also be noted that SWSD has appointed a technical team who is in the process of preparing detailed evidence to underpin an Illustrative Site Plan for the development proposals, which includes transport, drainage, ecology, landscape, trees, heritage, ground conditions and urban design matters. An Illustrative Site Plan has been prepared, which outlines that up to 60 dwellings could be delivered within the allocated land parcel alongside significant levels of public open space (including areas for ecological enhancement), children's play area, an attenuation feature, and trees and hedgerow planting. This Illustrative Site Plan is enclosed with this letter at Appendix 1.

A request for pre-application advice is currently with the Council and it is anticipated that an outline planning application, with all matters reserved except for access, will be submitted by May 2025. Accordingly, once the Local Plan Examination begins, a planning application will be before the Council, which will demonstrate the site's deliverability to the Planning Inspectorate to underpin the allocation of this land.

The Spatial Strategy

Strategic Policy SP01: Spatial Strategy sets out that *“New development will be directed towards the most sustainable locations in East Devon, by: ... E. Allowing limited development at the Service Villages of ... Feniton ...”* This overarching strategy for the area is welcomed, particularly the support for development at the Tier 4 – Service Village of Feniton.

The levels of future housing development are outlined in Strategic Policy SP02. This states that *“Housing provision will be made for at least 20,909 dwellings (net) to be delivered in the plan area between 1 April 2020 to 31 March 2042. The housing requirement will be delivered through a stepped trajectory, with an annual target of 850 homes from 2020/21 to 2031/32, increasing to 1,070 homes per year from 2032/33 to 2041/42.”*

While this level of housing is generally supported, it only represents 80% of the housing requirement calculated using the new standard methodology introduced in December 2024 with the updated National Planning Policy Framework (NPPF). While this approach is allowed for in the transitional arrangements set out in Paragraph 234 of the NPPF, we question whether East Devon District Council qualifies for the transitional arrangements, and whether the Council should be looking to exceed this and plan for the full housing requirement given the recognised housing crisis and the fact that upon adoption, the Plan would require an immediate review under the requirements of the new NPPF.

The full requirement would equate to 26,136 dwellings over the plan period, as well as assisting in accommodating any overspill need from Exeter. Moreover, given the Council has chosen to provide for the minimum housing requirement through the transitional arrangements, it is crucial that the proposed housing allocations are at least maintained.

In conclusion, we welcome the Council's strive to boosting housing supply, but consider that it could go further in meeting future housing need in East Devon and the wider area. Furthermore, it demonstrates that the allocations, including Land adjacent to Beechwood, Feniton (ref. Feni_08) should be maintained, and the Council cannot afford to remove any of these from the spatial strategy given the pressing need to boost the supply of housing.

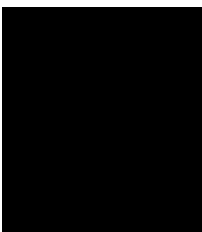
Development in the Towns and Villages

Strategic Policy SD18 sets out the development allocations at Feniton. This states the following:

“The sites/areas listed below, as identified on the Policies Map, are allocated for development at Feniton.

Land adjacent to Beechwood (Feni_08)

Land adjacent to Beechwoods is allocated for around 60 dwellings. Careful designed and implemented boundary treatment on the eastern side of the site will be required to form a soft edge to the countryside beyond.”



We support this policy approach, as well as the specific criteria and requirements set out within the policy. The proposed Illustrative Site Plan for the site has carefully considered the constraints and opportunities for the site. It demonstrates how a scheme of 60 residential dwellings (including open market and affordable housing) can be delivered alongside carefully designed and substantial boundary treatment on the eastern side of the site to form a soft edge with the countryside beyond.

In addition, public open space and children's play area (including areas for ecological enhancement) will in effect deliver areas of publicly accessible space for existing and future residents to enjoy, an attenuation feature, trees and hedgerow planting, and other infrastructure.

This has been informed by technical work including highways, ecology, landscape, heritage and drainage, all of which underpin the Illustrative Site Plan design. We, therefore, consider this to be an optimal solution for the delivery of housing at Feniton that would see a multitude of benefits being realised without harm being caused.

Mitigating Climate Change

Strategic Policy CC06 relates to embodied carbon. It states that major development will be required to undertake an embodied carbon assessment, submitted as part of the Sustainability Statement through a nationally recognised Whole Life Cycle Carbon Assessment procedure.

We have no issue in principle with this policy, but it is considered that the wording should set out when this needs to be undertaken – the outline planning application stage seems too early to carry out this level of assessment, and it would be more beneficial being undertaken at the reserved matters/detailed stage when the specific credentials of the development and exact information are known, rather than simply having a validation requirement that adds little to the matters for determination.

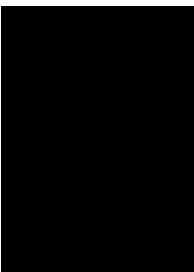
Meeting Housing Needs

Strategic Policy HN02 sets out the requirements for affordable housing. This has a requirement of 30% affordable housing for this site – Land adjacent to Beechwood, Feniton (ref. Feni_08). We support this provision, in order to assist in delivering the much-needed affordable housing across the district, and achieve balanced and mixed communities. We can also confirm that this level of affordable housing has been planned for within the proposed Illustrative Site Plan and can be met on site.

Our Outstanding Biodiversity and Geodiversity

Strategic Policy PB05 relates to Biodiversity Net Gen. This states that *“Major development proposals will need to deliver biodiversity net gain (BNG) of at least 20% to be calculated using the most up-to-date statutory metric. Where there is a demonstrable viability problem to achieve this target, it will be expected that all measures to exceed the national minimum requirements are made, and evidence for not achieving the 20% target is provided in full.”*

This aspiration by the Council is laudable, and we are committed to exceeding the national minimum requirement and achieving biodiversity enhancements as far as possible on this site. It is, however, unclear whether the draft requirement of 20% on major development sites has been viability tested, and whether any ramifications for land take on allocated sites have been carefully considered, so as not to negatively impact on the ability to deliver the required number of dwellings to meet the critical housing need.



This proposed requirement could be a significant constraint to sites that are at the lower end of the ‘major’ category given achieving the statutory 10% requirement is challenging for smaller sites.

Central Government has set the national policy to 10% based on significant evidence and rounds of consultation undertaken with various stakeholders. Furthermore, achieving 10% BNG is already a significant challenge faced by developers, and exceeding this could seriously affect the viability of sites across the District, and/or lead to housing targets not being met due to land-take required for BNG.

We, therefore, suggest that this is investigated further by the Council, and appropriate evidence and justification for the 20% requirement is presented, as this has not been provided to date.

Land adjacent to Beechwood, Feniton – Feni_08

Feniton contains a wide range of key everyday facilities including primary school (Feniton Primary), Youth Club and Venue Centre, a local shop (SPAR Feniton), Football and Cricket Club, public house (Nog Inn), dentist and church (St Andrews the Baptist), village hall, and Bowling Club.

A bus stop is also located to the northwest of the site on Station Road, which connects Feniton with Ottery St Mary, Whimble and Sidmouth. A train station is located to the west of the settlement with connections to London and Exeter.

The site has limited constraints for development and the technical work undertaken to date has not identified any significant issues that would preclude the site from development, and the technical team has prepared evidence to underpin the proposed Illustrative Site Plan.

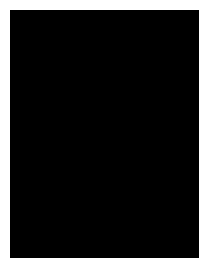
The proposed Illustrative Site Plan for the site seeks to deliver a residential development of up to 60 dwellings (including affordable housing), and other supporting infrastructure including extensive public open space and landscaping, with access from Green Lane.

The residential development will likely comprise a mix of 1, 2, 3 and 4-bedroom properties of varying styles, ranging from terraced, semi-detached and detached properties, and it is anticipated that the design would be more traditional in appearance and utilise materials found in the local area.

The impact of the proposed development on existing residential properties to the west has also been considered. Accordingly, the development has been positioned away from neighbouring properties to avoid any adverse amenity issues, including overlooking and overshadowing.

Extensive areas of open space also form part of the development, including substantial landscaped buffers provided to the east. Public Open Space (POS) and multifunctional (Sustainable Urban Drainage (SUDs)) are interspersed within the development, with a large area of POS located to the west. A Local Area for Play is proposed to the north alongside further POS, where the adjoining existing development to the west can benefit.

The development has been designed to accommodate existing site features such as hedgerows, to protect biodiversity interests on site. The hedgerow that bisects the site is proposed to be retained and enhanced, with modest removal to allow access through. Additional hedgerow and tree planting is proposed to the boundaries of the site, along with further planting being interspersed within the development itself. The spine road is designed with sufficient margins to be tree-lined.



An attenuation basin is accommodated within the site to deal with surface water within the site. This will also be designed to promote biodiversity value.

A residential development in this location provides an excellent opportunity to create a well-balanced community and promote sustainable development given the site's highly accessible location relative to key everyday facilities, and public transport links. This will ensure that residents can maximise opportunities to walk or cycle from this location to their workplace or for leisure, and maximise the use of non-car travel.

Housing in this location will contribute significantly to the identified housing requirement for East Devon. Development on this site will also provide affordable homes in a location where homes are greatly needed, and the provision of affordable homes in Feniton will also help meet needs in the nearby areas. In addition, the development will significantly contribute towards supporting the local economy.

We have also examined other technical matters including highways safety, flood risk and drainage, ecology, landscape, heritage and trees, and have identified no adverse effects that would outweigh the benefits of the scheme.

The Illustrative Site Plan, therefore, responds to the constraints and opportunities of the site, and seeks to provide a generous landscaped edge to the east of the site to ensure a suitable transition to the rural hinterland beyond. Furthermore, it is clear that the development is deliverable, and provides a high-quality, well-balanced, sustainable addition to the community.

Conclusion

We support the overall emerging Spatial Strategy and welcome the site's (ref. Feni_08) inclusion as an allocation to help meet the identified housing need. We do, however, ask that the Council carefully considers the constructive comments provided in relation to endeavouring to meet the full housing need for the district at this stage, and other more specific policy requirements.

It has also been demonstrated and is recognised by East Devon District Council that Land adjacent to Beechwood, Feniton (ref. Feni_08) is a suitable, sustainable, accessible and deliverable site for residential development. Furthermore, a request for pre-application advice is currently with the Council and it is anticipated that an outline planning application, with all matters reserved except for access, will be submitted by May 2025.

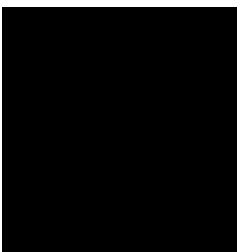
Based on the details provided within these and previous representations, we, therefore, hope to see the allocation for the site maintained – once the Local Plan Examination begins, a planning application will be before the Council, which will demonstrate the site's deliverability to the Planning Inspectorate to underpin the allocation of this land.

Should you wish to discuss this further, or have any questions or queries, please do not hesitate to contact me.

Yours faithfully,



Alan Williams
Director



Appendix 1
Illustrative Site Plan



Note:
Copyright is retained by Big Picture Design.



- Legend
- Site boundary
 - Proposed new building
 - Existing tree/hedge planting
 - Indicate proposed tree/hedge planting
 - Private garden area
 - PDS area
 - Access road/footpath
 - Future equipped surface
 - Private off-street parking area
 - Abstraction basin
 - Sewer/SUDS feature



CLIENT:
SWSD

PROJECT:
Land North of Green Lane, Feniton

DRAWING TITLE:
Illustrative Site Plan

SCALE: DATE: DRAWN:
1:500@A0 13/12/2024 JNM
DRAWING NUMBER: REVISION:
13225/002 A



0.91m FF 81.4m 0.91m FF

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Co Const, ED & Ward Bdy